

Approved January 20, 1988  
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

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

1:30 ~~XX~~/p.m. on TUESDAY, JANUARY 19, 1988 in room 123-S of the Capitol.

All members were present except:

Senator Kerr, excused

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:

Following a call to order by Chairman Joseph C. Harder, the Chairman welcomed back the Committee members and announced that Room 123-S would be the regular meeting room of the Committee. He continued by saying that at the request of representatives of several educational organizations, the secretary would distribute to Committee members the following brochures: State Board of Education Legislative Recommendations for 1988 (Ms. Connie Hubbell) (Attachment 1); Wichita Public Schools 1988 Legislative Goals and Positions (Ms. Kathryn Dysart) (Attachment 2); USD 501 Board of Education Legislative Proposals for 1988 Legislative Session (Mr. Onan Burnett) (Attachment 3); KFT (Kansas Federation of Teachers) Legislative Platform (Mr. James E. Copple) (Attachment 4).

Copies of "Education and the State Budget-an Overview", prepared by Mr. Ben Barrett of the Legislative Research Department, were also distributed to Committee members. (Attachment 5)

The Chairman then called upon Ms. Connie Hubbell, Legislative Representative, State Board of Education, who stated that the State Board is requesting the Committee to introduce a bill relating to out-of-state tuition to Kansas community colleges. The tuition, she continued, would amount to no less than twice the amount being charged for in-state tuition and is intended to attract some nearby out-of-state students to Kansas community colleges.

When the Chairman asked the Committee's pleasure regarding introduction of a Committee bill as requested by the State Board, Senator Anderson moved that the Committee introduce a bill as explained by Ms. Hubbell. The motion was seconded by Senator Allen, and the motion carried.

Ms. Hubbell further stated that other State Board priorities included At Risk Youth Remedial Programs and Improvement of Teacher Salaries.

The Chairman reminded members that a bill relating to remedial programs had been introduced and referred to the Committee last year and said the bill will be considered by the Committee at a later date. The Chairman also informed members that a bill relating to the improvement of teachers' salaries was expected to be drafted and referred to the Committee for a hearing.

The Chairman then recognized Mr. Dale Dennis of the State Department of Education, who told the Committee of a need for amending state law in order to consider federal impact aid when computing the School District Equalization Act. In response, the Chairman indicated to the Committee that Mr. Dennis' recommendation could be amended into the school finance formula which the Committee will consider at a later date.

The Chairman then called upon Mr. Ben Barrett, Legislative Research Department, who reviewed the carry-over bills from the 1987 session. (Attachment 6)

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION,  
room 123-S Statehouse, at 1:30 ~~am~~/p.m. on TUESDAY, JANUARY 19, 1988

Following discussion of SB 45, which, Mr. Barrett had explained, amends the School District Equalization Act and the substance of which was incorporated into 1987 HB 2106, which was enacted, Senator Warren moved to report SB 45 adversely. Senator Montgomery seconded the motion, and the motion carried.

The Chairman adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 123-S DATE: Tuesday, January 19, 1988

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Craig Grant	Topeka	H-NEA
Ken Roga	Paola	S R E
Richard Lunk	Topeka	KASB
William Dypart	Wichita	USD 259
Jan Cogg	Wichita	Kansas Federation of Teachers
Oran Burnett	Topeka	USD 501#
Connie Hessel	Topeka	SLB of SD
Mark Hill	"	KACC
Sis Suster	Topeka	Dept. Human Resources
Chris Graves	Topeka	ASK
Hary Feyken	Emporia	ESU
Russ Thompson	K.C.	
Gloria Anderson	K.C.	



## 1988 KANSAS SENATE EDUCATION COMMITTEE

Senator Joseph C. Harder  
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Box 317  
Moundridge 67107  
296-7391  
Senator Alicia Salisbury  
Vice Chairman  
1455 S.W. Lakeside Drive  
Topeka 66604  
296-7374  
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R.F.D. #3  
Ottawa 66067  
296-7361  
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Wichita 67214  
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Phillipsburg 67661  
296-7366

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R.R. #2, Box 101  
Emporia 66801  
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6324 Ash  
Prairie Village 66208  
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Sabetha 66534  
296-7371  
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Topeka 66605  
296-7373  
Senator Joe Warren  
Route 1  
Maple City 67102  
296-7381

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296-7645  
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Vice Chairman  
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Merriam 66203  
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296-7694  
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296-7681

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815 E. 9th, Winfield 67156  
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296-7665  
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Route 1, Baileyville 66404  
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1312 Fir St., Eudora 66025  
296-7673  
Rep. R. D. Miller  
Box 106, Russell 67665  
296-7687  
Rep. JoAnn Pottorff  
6321 E. 8th, Wichita 67208  
296-7654

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Bonner Springs 66012  
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Rep. Bill Reardon  
2206 Everett, Kansas City 66102  
296-7630

Rep. Marvin Smith  
123 N.E. 82nd, Topeka 66617  
296-7686  
Rep. Vernon Williams  
2402 Coolidge, Wichita 67204  
296-7667

**NOTE:** The above telephone numbers are legislative offices in the State Capitol.

## KANSAS STATE BOARD MEMBERS

Mildred G. McMillon  
District 1  
R. R. 3, Box 32  
Tonganoxie 66086  
(913) 845-3039  
Kathleen White  
District 2  
7137 Booth  
Shawnee Mission 66208  
(913) 362-9674

Bill Musick, Chairman  
District 6  
508 East Second  
Minneapolis 67467  
(913) 392-3059

Richard M. Robl  
District 7  
5003 N. Hendricks  
Hutchinson 67502  
(316) 663-7597

Paul D. Adams  
District 3  
420 South Sixth  
Osage City 66523  
(913) 528-4326

Evelyn Whitcomb  
District 8  
2717 South Hydraulic  
Wichita 67216  
(316) 267-8127

Connie Hubbell  
District 4  
2028 Wildwood Lane  
Topeka 66611  
(913) 233-7345

Robert J. Clemons  
District 9  
2105 West Laurel  
Independence 67301  
(316) 331-5777

Sheila Frahm, Vice Chairman  
District 5  
18 Cottonwood  
Rt. 3  
Colby 67701  
(913) 462-6948

Marion (Mick) Stevens  
District 10  
145 North 127th Street East  
Wichita 67206  
(316) 686-8227

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# STATE BOARD OF EDUCATION LEGISLATIVE RECOMMENDATIONS

1988



*Kansas State Department of Education*

Kansas State Education Building  
120 East 10th Street Topeka, Kansas 66612



**RECOMMENDATIONS**

**THE STATE BOARD OF EDUCATION RECOMMENDS THAT**

**FY 1989 ESTIMATED COST**

AID TO AVTS FOR INSTRUCTIONAL EQUIPMENT	State funds be provided for purchase of AVTS capital outlay items. Area schools have not received any funds under this program for the past two years, and there is a major need in the area of instructional equipment and maintenance/repair of facilities.		\$ 2,000,000
AREA VOCATIONAL-TECHNICAL SCHOOL AID	Area vocational-technical schools receive an increase of 7.5 percent in state categorical aid and an equal percentage for postsecondary education aid.	Categorical Aid Postsecondary Aid	\$ 548,000 \$ 901,875
AT RISK YOUTH/REMEDIAL PROGRAMS TO REDUCE ILLITERACY AND DROPOUTS	A special incentive funding program to develop and implement programs designed to reduce illiteracy and dropouts be authorized for school districts. The program would stress early intervention to identify and help children at the first signs of difficulty and remediation in basic skills for older students.		\$ 1,000,000
COMMUNITY COLLEGE FUNDING	State aid for community colleges be increased up to 40 percent of their operating budgets to be phased in over the next five years. The State Board strongly supports repeal of out-district tuition to alleviate the tax burden on out-district counties. In addition, the five-year finance plan would permit the community colleges to better utilize resources in providing educational programs for the students and business community.	FY 1989 FY 1990 FY 1991 FY 1992 FY 1993	\$ 6,073,726 \$ 6,755,270 \$ 7,607,541 \$ 8,521,498 \$ 9,566,959
COMMUNITY COLLEGE OUT-OF-STATE TUITION	Community college boards of trustees be given authority to charge a minimum out-of-state tuition equal to twice the amount legally authorized for in-state students. This will provide a minimum of \$44 per credit hour.		None
DISTANCE LEARNING	The state assist in the purchase of equipment with one-year mini-grants for school districts which desire and need to provide instructional programs through distance learning. Several school districts currently are providing high level programs with low enrollments, such as foreign language and physics, via distance learning.		\$ 150,000
EARLY CHILDHOOD EDUCATION FOR THE HANDICAPPED	The enrollment of three-year-old handicapped children receiving special education services be included in the School District Equalization Act. This will be the first step in complying with P.L. 99-457 which provides 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. The cost of implementing preschool handicapped programs in Kansas will be approximately \$10.1 million (state), \$1.7 million (federal), and \$6.1 million (local) for a total of \$17.9 million		\$ 1,100,000
HUMAN SEXUALITY/AIDS EDUCATION	The state provide an average of \$5.00 per pupil to assist in implementation of a human sexuality/AIDS program. The program will assist districts in obtaining materials and providing instruction designed to teach students about AIDS and its prevention and other sexuality topics as determined by local boards of education.		\$ 2,000,000
IMPROVEMENT OF TEACHER SALARIES	The state authorize a general fund increase of 6 percent, resulting in an estimated overall teacher salary increase. It is desirable to raise the teacher salaries higher; but, due to the state's fiscal position, the State Board believes it is not feasible at this time. This proposal requires an increase in the property tax of \$28.8 million.	General State Aid Income Tax Rebate	\$40,000,000 \$17,000,000
STATE SPECIAL EDUCATION AT 93 PERCENT OF EXCESS COST	The excess cost above educating nonhandicapped children be funded at 93 percent. Because the program is mandated, the State Board encourages the Legislature to increase the current 90 percent to a minimum of 93 percent.		\$ 8,474,451
STATE TRANSPORTATION AID	The state transportation aid program be funded at 100 percent of entitlement under Kansas law. For the first time in many years the formula was funded at 95 percent of entitlement during fiscal year 1988. As a result, the burden increased on the school districts' general fund to provide a mandated program. All resident students outside the city living over 2.5 miles from home to school must be transported.		\$ 2,405,500

**POSITION STATEMENT**

COMMUNITY COLLEGE GOVERNANCE	The State Board of Education strongly recommends that the community colleges remain under the governance of the State Board. The State Board has conducted numerous studies concerning community college governance financing and believes that adequate funding should be provided as outlined in the five-year finance plan approved by the State Board.		None
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**Wichita Public Schools**

**1988 LEGISLATIVE GOALS  
and Positions**

## **Wichita Public Schools**

### **1988 LEGISLATIVE GOALS**

1. Provide sufficient state funds for education to meet the needs of all school children in each enrollment district.
2. Provide full funding of excess costs of special education.
3. Create funds for prekindergarten programs for economically disadvantaged children.
4. Release restrictions on inservice programs.
5. Provide full funding for state mandated transportation programs.
6. Amend professional negotiations act to permit board of education authority in areas not covered by current contract.
7. Statutorily limit the ability of one taxing authority to tax another taxing authority.

#### **and Positions**

8. Increase funds for bilingual/English as a Second Language programs.
9. Maintain the Urban Education Category without further encroachments.
10. Maintain the existing governance structure for Area Vocational-Technical Schools.
11. Increase state support for Instructional Inservice.
12. Reduce mileage requirements for state transportation reimbursements.
13. Fund excess costs of prekindergarten and kindergarten special education programs based on an I.E.P. driven formula rather than at .5 FTE.
14. Recognize and regulate home schools.



## **1988 LEGISLATIVE GOAL**

**Provide sufficient state funds for education to meet the needs of all school children in each enrollment district.**

The Legislature of the State of Kansas has long spoken of its goal of funding fifty percent toward education budgets statewide. For several years, falling state revenues and increased emphasis on other general fund supported programs have widened the gap between reality and this goal.

The State Department of Education estimates that funding education at the fifty percent level would require \$137,500,000 new dollars in School District Equalization Aid. It is unrealistic to expect that the Kansas Legislature would appropriate such a sum without identifying a new revenue source (or sources).

The problem is compounded by the realization that property reappraisal in 1989 will shift the tax incidence and wealth estimates currently used to administer the equalization formula. A new school finance formula should be generated, based on new appraisal values; but this is unlikely to occur before the 1989 legislative session. However, substantial new monies must be committed by the state in 1988 to halt the erosion of education equalization among the several hundred unified school districts in Kansas. The fifty percent goal, at a minimum, should be achieved by 1989.

Struggles between urban and rural interests must not be heightened by battles over unnecessarily meager funds. Commitment to the goal of sufficient new moneys can ensure educational advantage not only to the 46,000-plus students attending USD 259— but to children throughout the state.

## **1988 LEGISLATIVE GOAL**

**Provide full funding of excess costs of special education.**

The state government mandates that school districts must provide appropriate education for exceptional children. These costs above the expense of educating a regular education student (excess cost) should be paid by the state.

State payment of categorical costs tends to be an equalizing force. Districts have no control over the number of handicapped children who reside in each district. Families with handicapped children tend to cluster near regional medical facilities and in school districts which offer needed programs.

Large numbers of economically disadvantaged families tend to produce larger numbers of handicapped children.

Accuracy of identification is the responsibility of each district. If the state seeks to control costs by eliminating over-identification, that goal is best achieved by strict enforcement. Reducing the funding available for special education and thereby reducing the percentage of excess costs paid by the state unfairly penalizes districts which are properly identifying handicapped students. Those districts, in order to properly serve the handicapped students which the state mandates must be served, are forced to transfer monies from their general fund to pay excess costs. This creates a situation which adversely impacts regular education students and results in a disequalizing effect among districts.

## **1988 LEGISLATIVE GOAL**

**Create funds for prekindergarten programs for economically disadvantaged children.**

Many districts recognize prekindergarten programs as a cost effective means of reducing the demand for special education, lessening costly remedial programs, and reducing pupil failures. Early Childhood Education is a highly researched topic and the value of providing such education is clearly evident. Evidence continues to mount supporting the positive effects of preschool programs on economically deprived children. The longitudinal Ypsilanti Study began almost twenty years ago and was the inspiration for the federally funded Head Start programs that started in 1964. According to a report prepared by David P. Weikart for a conference for southern legislators, "there was at least a \$4,130 payoff after inflation for every \$1,000 invested in the preschool program in Ypsilanti."

*American Educator, Winter 1983.*

Prekindergarten programs for economically disadvantaged students should be financially supported by the state in equivalent amounts to the support of kindergarten.



## **1988 LEGISLATIVE GOAL**

**Release restrictions on inservice programs.**

The ability to offer stipends or travel to inservice opportunities in a broader geographic area would greatly relieve the impediments to effective inservice participation.

Current restrictions allow registration and travel expenses for persons attending inservice in-state or in Nebraska, Missouri, Oklahoma, or Colorado. Inservice opportunities which address the needs of urban districts are more typically held in states with larger cities. While a nationwide allowance would be ideal, altering geographic restrictions to allow participation in Texas, Illinois, Arkansas, and Louisiana would significantly improve educational opportunities.

The prohibition against offering stipends may be a costly one for the state. Due to economics of scale, it would be less expensive and more effective for many districts to import inservice programs rather than send personnel out of town to participate. However, to conduct such an inservice on a school day is too costly because of substitute payments. To conduct the program on a weekend hampers participation if personnel receive no compensation for forfeiting a day off. The use of stipends would allow larger numbers of certified employees to be inserviced without incurring travel or lodging expenses.

## **1988 LEGISLATIVE GOAL**

**Provide full funding for state mandated transportation programs.**

The costs of the state mandated transportation program, like the costs of all state mandated programs, should be paid by the state. To do otherwise is disequalizing since districts are forced to transfer monies from general fund sources to meet the fiscal requirements of the mandated program.

The geographical boundaries of each district are controlled by the state rather than by the school districts. Neither is the demographic make-up of a district controlled by the district. The extent to which a district is required to provide transportation to its clientele should not adversely impact the resources that the district has available to educate children.

## **1988 LEGISLATIVE GOAL**

**Amend professional negotiations act to permit board of education authority in areas not covered by current contract.**

Boards of education should be allowed to make necessary decisions in areas not specifically covered by an agreement. Presently, the board's hands are tied even if neither side has ever asked to negotiate on some issues.

Amend IV. Professional Negotiations, by adding a new subsection 12 of Section A, page 5, to read as follows:

12. II. "So that KSA 72-5423 specifically states that all terms and conditions not covered by an existing negotiated agreement shall be subject to the control of the board of education until the commencement of negotiations for a successor to the existing contract."



## **1988 LEGISLATIVE GOAL**

**Statutorily limit the ability of one taxing authority to tax another taxing authority.**

School districts should not have to pay sales tax on fund raising sales for which profits are used for educational purchases. For instance, school support groups frequently operate fund-raisers and use their profits to buy the school a new computer or books for the school library. These purchases would be made from tax-supported funds otherwise, and the fund-raisers assist in keeping public costs down.

School districts should not have to charge sales tax on materials used for class projects or school sponsored activities. Many districts simply charge fees to offset the cost of materials for classes such as woodworking or small engine repair. (Those fees are not taxed.) USD 259 charges students only for the materials they actually use and currently must charge sales tax on those assessments. Sales tax must also be charged on such items as band instruments and uniforms.

School districts should not have to pay franchise taxes and user fees for other local units of government.

School districts should be informed in writing by local taxing authorities thirty days before a public hearing at which consideration will be given to abating property taxes which are a potential source of revenue for those districts.

## ***Current Legislative Positions***

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### **Increase funds for bilingual/English as a Second Language programs.**

The state provides monies for pupils who enter the public schools without sufficient English skills to perform grade level tasks.

While the funds finance part of a limited "take-out" program for language different students, most of the children's time is spent in regular classes. This "immersion" system creates exposure to English but fails to allow the students to keep up in other subjects.

Consequently language different students continue throughout their school experience to be a costly population to school districts. To the extent that they drop out of school without a minimum skill level, they remain increasingly expensive for society to support.

Additional monies are needed for bilingual/ESL programs such as:

1. A program specifically designed for secondary-level Limited English Proficient (LEP) students who are "low-schooled" (missing a year or more of school due to illness, social upheaval in their native country, extensive time spent in refugee camps where school was not available, etc.) and for the students who have virtually no educational background. There are currently about 100 such students in the Wichita Public School system.
2. An after- or before-school tutorial program that provides everything from beginning conversation skills to specific instruction in curricular areas—to be provided either in the student's native language or in English, whichever is preferred by the student.
3. A combination pre-school/adult education center where pre-schoolers and their parents could learn a common English vocabulary while the parents study such courses as health care, nutrition, child care, etc.
4. Longitudinal studies of bilingual/ESL students that would provide answers to such questions as "Which method or methods seem to be the most efficient in enabling Limited English Proficient (LEP) students to mainstream and how long does it usually take?"

## ***Current Legislative Positions***

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### **Maintain the Urban Education Category without further encroachments.**

The 1981 School Finance Task Force held extensive hearings on costs associated with various enrollment categories. Both economies and diseconomies of scale were examined.

The diseconomy of large urban systems is/was acknowledged for the following reasons:

1. In large metropolitan areas, costs of living and competitive wage scales demand higher salaries for both certified and classified personnel.
2. Disproportionate numbers of non-English speaking pupils clustered in urban centers create service demands which far exceed state and federal bilingual education funds.
3. Low income and minority families are more heavily concentrated in large urban centers. Unique educational needs related to poverty and desegregation requirements increase per pupil costs greatly.
4. Families of handicapped children tend to cluster in urban centers where there are specialized medical facilities and support organizations to meet their needs. Financially deprived families have a disproportionate share of children with handicaps. Both intentional clustering and economic peril produce high concentrations of handicapped children in urban districts. Sliding excess cost appropriations for categorical aid demand increasing transfers from general fund budgets to meet the needs of these unfortunate children.
5. Rising maintenance and capital costs strain the budgets of large districts which naturally must provide larger numbers of facilities and equipment for significantly higher enrollments.

## ***Current Legislative Positions***

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### **Maintain existing governance structure for Area Vocational - Technical Schools.**

Kansas area vocational-technical schools presently serve secondary as well as post-secondary skill training needs within our state. The economies of scale inherent in this dual service provide opportunities which are not likely to be affordable under split governance to meet the needs of pupils and the business sector.

Approval of vocational education courses for state funding should remain a function of the Kansas State Board of Education. The Kansas Area Vocational-Technical Schools Association supports the present structure of governance and control for the area vocational-technical schools under the Kansas State Board of Education.

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### **Increase state support for Instructional Inservice.**

There are logical reasons to provide inservice not only for teachers, but also for other certificated personnel, including administrators. A maturing profession requires retraining, and new members need continuous opportunity for growth.

New technical and professional methods in instruction demand frequent and continual inservice to help good teachers become better. Inservice is an appropriate professional responsibility for education as well as other professions. Adequate resources and more professional autonomy would insure higher performance among present personnel and encourage college graduates to enter teaching.

Each year additional school districts in the state come "on-line" in terms of their participation in the state supported inservice program. When additional monies are not added to the fund, the marginal share of resources available to each district diminishes correspondingly.

## ***Current Legislative Positions***

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### **Reduce mileage requirements for state transportation reimbursements.**

Young children cannot reasonably be expected to walk 2 1/2 miles to and from school. Hazards along routes (such as heavy traffic, multi-lane streets which must be crossed without adequate traffic controls or which traverse industrial and commercial areas) force districts to provide transportation to many more students than those for which the state currently reimburses.

Amend KSA 72-7039 to provide state reimbursement for costs of transporting students in grades K-6 who reside more than 1 1/2 miles from their assigned school.

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### **Fund excess costs of prekindergarten and kindergarten special education pupils based on an I.E.P. driven formula rather than .5 F.T.E.**

The individual education plans written for prekindergarten and kindergarten pupils specifically spell out varying amounts of instructional time needed for each child. The needs of some children can be met in a couple of hours each day; other pupils require a full school day of intervention. State funding for special education pre-kindergarten should acknowledge the diversity of program requirements.

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### **Recognize and regulate home schools.**

Home schools exist but they are not accredited, regulated, or even recognized.

If home study programs are 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 district should not be responsible for enforcing regulations related to home study.



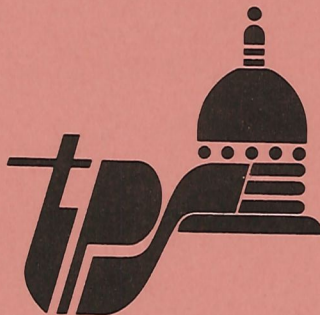
**GENERAL FUND  
FOUR-YEAR REVENUE SUMMARY**

Budget Year	FTE Enrollment	General Fund Budget	Equalization Aid (Basic State Aid)	Income Tax Rebate	Total "State Aid"	Percentage of Budget	Budget Year	Budget per Pupil	State Aid per Pupil
1984-85	41,526.7	\$113,222,400.00	\$25,702,576.00	\$18,074,797.16	\$43,777,373.16	38.66	1984-85	\$2,726.50	\$1,054.20
1985-86	41,575.1	123,091,300.00	25,520,896.00	18,460,862.62	43,981,758.62	35.73	1985-86	2,960.70	1,057.89
1986-87*	41,760.0	127,399,400.00	20,691,431.87	18,595,988.16	39,287,420.03	30.84	1986-87	3,050.75	940.79
1986-78	42,457.7	127,399,400.00	19,514,648.00	17,380,028.00	36,894,676.00	28.96	1986-87	3,000.62	868.97
1987-88	43,460.6	135,954,500.00	16,993,742.36	19,433,506.00	36,427,248.36	26.79	1987-88	3,135.64	840.16

\* Estimated before rescission

Topeka Public Schools  
Unified School District No. 501  
Topeka, Kansas

BOARD OF EDUCATION  
LEGISLATIVE PROPOSALS FOR 1988 LEGISLATIVE SESSION



Prepared by

Onan Burnett  
Director of Community and Governmental Relations  
624 SW 24th Street  
Topeka, Kansas 66611

October 7, 1987

Attachment 3, 1/19/88

AWB/vz



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**1987-88 LEGISLATIVE GOALS**



## SCHOOL FINANCE

### GOAL:

The District recommends:

- A. A minimum budget authority which takes into consideration the costs facing school districts.
- B. A new finance formula which will:
  - 1. provide for at least 50 percent funding on a statewide average;
  - 2. reduce the local property tax; and
  - 3. exempt taxable income from the definition of wealth since school districts are not allowed to tax such sources.
- C. Excess costs for special education services be funded at 100 percent.
- D. Opposition to any change of the Linear Transition Plan in the school finance formula for the thirty school districts with school populations from 2,000 to 10,000.

**RATIONALE:** With the increased cost of operating schools and a nationwide clamor for increased teachers' salaries, it is important that school districts receive increased state aid. It is also important that school districts know as early as possible the amount of state aid that will be available so they can prepare a realistic budget.



## SPECIAL EDUCATION CATEGORICAL AID

### GOAL:

The District recommends that school districts which have met the Special Education mandate not be penalized by receiving reduction in categorical aid. Related special education services, such as nurses, occupational therapists, paraprofessionals, social workers, gifted, etc., should not be removed from receiving categorical aid to reduce costs of special education.

RATIONALE: Urban districts are unique due to the diversity of the student population and the special needs which come as a result of that diversity. Related services are necessary to offer complete and appropriate programs for every special education child.



## PUPIL TRANSPORTATION

### GOAL:

The District recommends the pupil transportation distance limits for state reimbursement be reduced from two and one-half miles to one mile.

It is further recommended that the law specify that students who are within walking distance of a school in an adjoining district be allowed to attend the closest attendance center rather than be transported to an attendance center miles from his/her home.

RATIONALE: With the increased demand for student transportation in both urban and suburban school districts, as well as rising fuel costs and energy conservation efforts, it would appear that the distance limit for funding eligibility should be reduced from the present two and one-half miles to a more realistic one-mile limit. If the student attends the attendance center closest to his/her home, this would reduce the costs of state-wide transportation aid, regardless of home district.



## COST-FREE TEXTBOOKS

### GOAL:

The District recommends the legislature provide additional budget authority and state aid to permit the purchase of cost-free textbooks for all students.

RATIONALE: In accordance with the philosophy of free public education, every district should provide free textbooks. At this time approximately twenty-three states provide textbooks to all students.



## AREA VOCATIONAL-TECHNICAL SCHOOL

### GOAL:

The District opposes any change in the governance of area vocational-technical schools.

The District recommends legislation which would appropriate funding for capital outlay for area vocational-technical schools.

RATIONALE: Kansas area vocational-technical schools presently serve secondary as well as post-secondary skill training needs within our state. Approval of vocational education courses for state funding should remain a function of the Kansas State Board of Education. The Kansas area vocational-technical schools support the present structure of governance and control for the area vocational-technical schools under the Kansas State Board of Education.

The area vocational-technical schools cannot generate enough monies through their regular local funds for replacement of worn-out or obsolete equipment or purchase of new equipment. By continuing to have money appropriated for replacement and new equipment, it will help the area schools with their capital outlay and equipment needs.



**1987-88 LEGISLATIVE POSITIONS**



## HOME-SCHOOL CONCEPT

### POSITION:

The District recommends that if the legislature decides to permit the home-school concept, home schools should meet the same requirements as regular state-approved public and parochial schools.

RATIONALE: If home schools are not required to meet the same requirements, schools would be operating under a dual set of standards.



## EARLY RETIREMENT/IMPROVED KPERS

### POSITION:

The District recommends that KPERS improve retirement benefits to provide without penalty incentives for early retirement beginning at age 55 or after 30 years of service.

RATIONALE: Other states and many private companies provide early retirement incentives. These plans have been found to be of benefit to the employer and employee.

There are currently non-school groups under the KPERS system that have significant early retirement incentives beyond what is available to educators.



## REDUCTION IN FORCE

### POSITION:

The District recommends legislation be enacted to allow school districts to determine which teachers to retain in cases of reduction in force, regardless of seniority or tenure.

RATIONALE: Since the Supreme Court of Kansas has ruled that reduction in force is a negotiable item, legislation should be supported which would amend the school negotiations laws to exclude reduction in force. Reduction in force should be made at the sole discretion of the board of education, based on criteria determined by the board to best meet the educational needs of the district.



## MULTI-YEAR CONTRACT

### POSITION:

The District recommends school districts be permitted to offer the bargaining unit a contract for more than two years, i.e., three (3) or four (4) years.

RATIONALE: It would be less expensive and would offer longer periods of peace and tranquility between the districts and the teachers.



## SCHOOL CALENDAR

### POSITION:

The District recommends that the school calendar continue to be under the control of the local board of education.

### RATIONALE:

The LEA should maintain the authority to establish the school calendar. The needs of the areas of the state may vary to the extent that it would be more practical for each LEA to be responsible for establishing its own calendar.



## SUPPLEMENTAL CONTRACT

### POSITION:

The District supports the current practice of separate contracts for employment as a teacher and one for supplemental duties.

RATIONALE: Current practices allow districts to maintain local control. Presently the districts are not required to negotiate conditions of employment regarding a supplemental contract. It protects the individual teaching position in the event the teacher is not satisfactorily performing supplemental duties.



## SCHOOL FOOD SERVICE

### POSITION:

The District recommends that:

- A. State school lunch assistance be increased from its present two cents to four cents.
- B. The Food Service Assistance Program be reinstated to assist the District...
  - 1) to replace equipment in need of repair
  - 2) to replace obsolete equipment, or
  - 3) to help purchase equipment for a new operation which would serve 50 percent or more free and reduced price meals.

RATIONALE: Increased costs of food, labor, and indirect costs will require substantial increases in meal prices for students unless additional assistance is received.



## SCHOOL UNIFICATION

### POSITION:

The District recommends that the legislature study the need for further unification, and that the State Board of Education be given the authority to close schools that have very small enrollments and are not cost-effective.

RATIONALE: The reports given by the Legislative Post Audit in the past have indicated that additional dollar savings could be achieved by further consolidation of school districts. We believe that these monies could be utilized to improve teachers' salaries across the state.



## FEDERAL LEGISLATION

### POSITION:

The District recommends opposition to tuition tax credits and school voucher systems.

RATIONALE: There are many and various problems with tuition tax credits and the school voucher system:

- 1) It becomes difficult to develop long-range plans.
- 2) It would be impossible to plan and make building assignments.
- 3) It violates the constitution with regard to separation of church and state.
- 4) It discriminates against the poor and most minorities.
- 5) The public schools would very likely be relegated to special education and high-risk students.



**FEDERAL LEGISLATION (CONTINUED)**

**POSITION:**

The district recommends that the federal government not mandate programs without providing the financing to implement and maintain the programs.

**RATIONALE:** States and local school districts cannot afford to fund additional programs and, at the same time, continue to maintain current programs at an adequate level.





**KFT  
LEGISLATIVE  
PLATFORM**



**NEW DIRECTIONS  
WITH  
THE KANSAS FEDERATION OF TEACHERS**

**THE KANSAS FEDERATION OF TEACHERS  
310 W. CENTRAL, SUITE 110  
WICHITA, KS. 67202  
PHONE: (316) 262-5171  
DIRECTOR: JAMES E. COPPLE**

## NEW DIRECTIONS

The Legislative Platform of the Kansas Federation of Teachers represents the work and thinking of teachers who are daily engaged in the activity of teaching. The ideas and issues presented in this platform represent the thinking of professionals who continually seek ways to improve the quality of education within their communities. Teachers within Kansas were surveyed on issues related to funding and school improvement. This platform reflects their concerns. The teachers in Kansas are dedicated to providing new direction for the future. This new direction will require a rethinking of the way we currently provide schooling. Teacher empowerment must be more than a slogan of unions and school boards; rather it promises to strengthen our schools and to enhance the quality of educational service delivered to our communities. To that end, teachers are seeking ways to improve the quality of instruction and to prepare students for the social and economic challenges of the 21st century. The following platform represents a realistic appraisal of the economic challenges facing Kansas, while at the same time seeking to provide a vision for the future.

## FUNDING ISSUES FOR 1988

The Kansas Federation of Teachers remains concerned and alarmed about the declining rank of Kansas Teacher salaries when compared to teachers throughout the country and within our region. We have fallen from a national rank of 29 in 1986 to 34 in 1987. While we recognize the economic strains placed upon the Kansas economy, we maintain the conviction that education must be the cornerstone of Economic Development. We support the following concerns related to funding.

1. We support the State Board of Education's request that \$40 million of the "windfall" be used to increase funding for public education.
2. Provide full funding of excess cost of all mandated programs in Special Education.
3. Fund programs related to the development and implementation of prekindergarten programs for the economically disadvantaged. Early identification and early service will greatly improve the success rate of these children.
4. Continue funding for the exploratory work on the Career Ladder and Teacher Incentive Plans.

## TEACHER TRAINING

The current internship program for the state of Kansas must be encouraged with more funding and greater teacher participation in design and implementation. We must continually work to improve the professional readiness of those entering the profession. Further, we must take steps to assist the "troubled teacher" through intervention and peer assistance. We affirm the following principles:

1. We ask the legislature to expand the concept of internship to include intervention assistance for experienced and troubled teachers. Funding should be provided for ten districts to create intervention models.
2. We ask the Legislature to agree to/or to ratify Kansas' participation in the National Board of Professional Teaching Standards.
3. We ask the legislature to explore the funding and development of a Kansas Committee on Excellence in Teaching to be funded in the same measure as the Kansas Committee for the Humanities and the Kansas Committee for the Arts.
4. We continue to support the Professional Practice Grant legislation that will provide free tuition for students promising to teach in Kansas for seven years.



## **OPEN ADMISSIONS**

Open admission and the possible change in current Kansas Law permitting any Kansas resident to attend a publically financed institution of higher education remains a serious topic. The Kansas Federation of Teachers is opposed to any plan that would abolish open admissions to our state universities. We do, however, support efforts to require students to first complete a college preparatory curriculum for full admission to our universities. This curriculum can be completed, at the student's expense, at any community college, four year institution of higher education or any public alternative school. We believe the legislature should protect the right of its citizens to attend the tax supported institution of higher education of his/her choice.

## **MINIMUM COMPETENCY**

Minimum competency is an issue that still requires clarification and legislative direction. The report by the Center for Educational Testing at the University of Kansas reveals a number of problems. While the Legislative Educational Planning Committee has struggled to clarify the purpose of minimum competency, it is the position of the Kansas Federation of Teachers that the approximate cost of \$250,000 for the design and implementation of this test could be better spent on other programs. We recommend the following:

1. We ask the legislature to refine the legislative definition for the purpose of state minimum competency.
2. We believe that the legislature should require the State Department of Education to implement the test using a stratified random sample of students to assess Kansas minimum competency. Furthermore, districts choosing to utilize the results for remediation can volunteer to participate in the program. This would make minimum competency a local option.
3. We ask the legislature to establish an independent audit for the purpose of replicating test results analyzed by the University of Kansas and the State Department of Education.

## **PARAPROFESSIONALS**

Paraprofessionals remain an important part of the educational experience of our children. They have many practical and legislative concerns. One primary concern is the continuing education of paraprofessionals.

1. We are asking the legislature to make available grants of \$500 to paraprofessionals who are interested in continuing their training at the community college or university level. In return, they commit to two years service to the state of Kansas.
2. We are asking the legislature to provide funding for inservice and specialized training of paraprofessionals.
3. We ask the legislature to remove from the Public Employment Relations Act the requirement of each governing board to determine whether or not they will fall under the provisions of the Act. A petition of fifty percent should automatically require governing boards to determine whether or not a group is entitled to professional representation.

## **TASK FORCE ON REFORM**

While the Governor has appointed a Public Education Advisory Council, we still believe that a publically funded task force on education reform is essential if we are to adequately prepare for the economic and educational challenges of the 21st Century. We ask the legislature to support such a resolution.

## EDUCATION FOR DEMOCRACY

We ask the legislature to sponsor a concurrent resolution endorsing the principles of the Education for Democracy Project. This project, emerging from the celebration of our nation's bicentennial of the constitution, stresses the importance of teaching democratic principles within our public schools. It has received the endorsement of every major educational and political organization in the country. The project underscores what principles every student should know in order to preserve our democratic heritage.

## PROFESSIONAL NEGOTIATIONS

The Professional Negotiations Act remains both an obstacle and a protection. We ask the legislature to consider the following concerns and to address those issues that will enhance the profession of teaching within the state of Kansas.

1. Alter the terms and conditions for negotiations to include assignment, transfer and class size.
2. We ask the legislature to more clearly define the intent of KSA 72-5418 (5) which allows for collective bargaining elections within one year of a previously certified election. The current interpretation of the statute makes it impossible for an organization to challenge within one year if they were certified on or after the first of December. We ask the legislature to clarify the statute permitting a window period of July 1 to December 1 regardless of when the previous election was certified.



**THE KANSAS FEDERATION OF TEACHERS**  
**310 WEST CENTRAL SUITE 110**  
**WICHITA, KS. 67202**





1/19/88

# EDUCATION AND THE STATE BUDGET--AN OVERVIEW

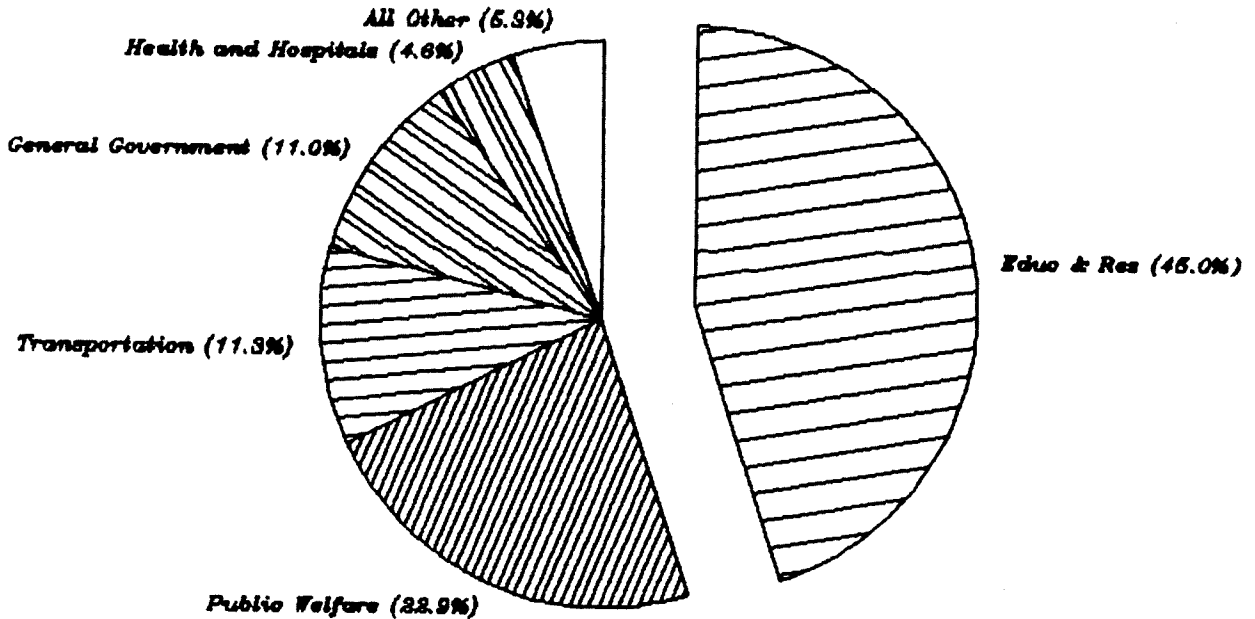
## Governor's Recommendations for FY 1989

### A. FY 1989 Estimated Expenditures--All Funds (Amounts in Millions)

Function	Amount	Percent
Education and Research	1,878.6	45.0%
Public Welfare	955.1	22.9%
Transportation	470.4	11.3%
General Government	459.1	11.0%
Health and Hospitals	192.1	4.6%
All Other	222.2	5.3%
<b>TOTAL</b>	<b>4,177.5</b>	<b>100.0%</b>

Note: "All Other" includes Public Safety, Agriculture and Natural Resources, Recreation and History, and salary plan reserves.

### FY 1989 EXPENDITURES--ALL FUNDS



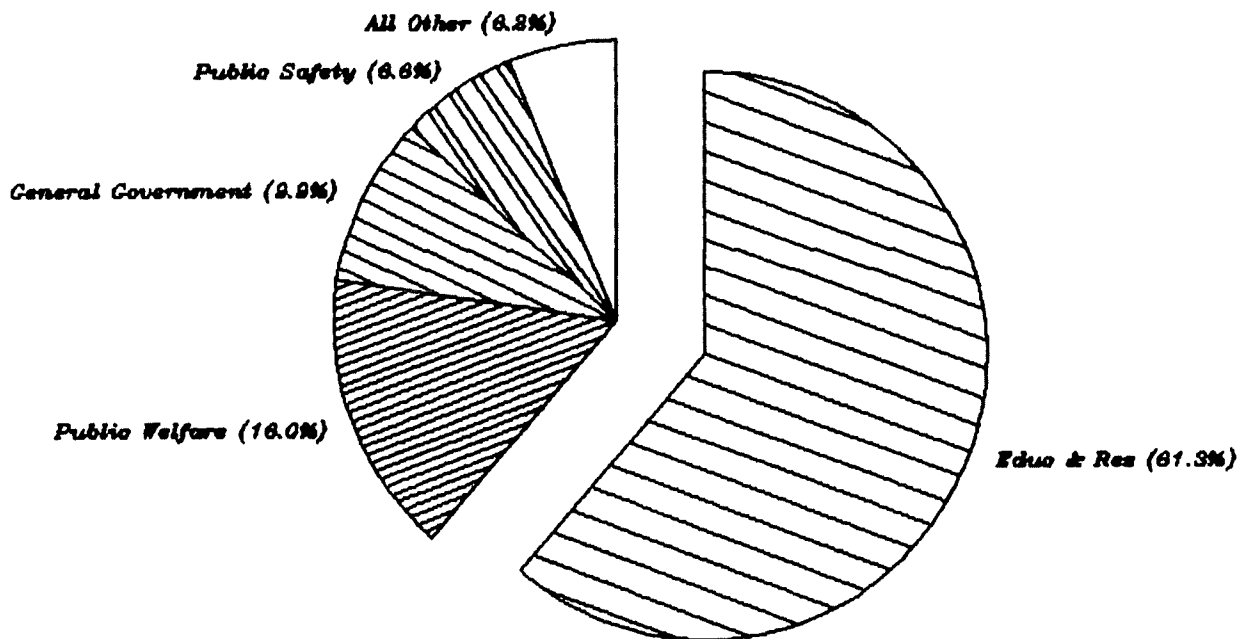
B. FY 1989 Estimated State General Fund Expenditures  
(Amounts in Millions)

Function	Amount	Percent
Education and Research	1,221.0	61.3%
Public Welfare	318.2	16.0%
General Government	196.6	9.9%
Public Safety	131.2	6.6%
All Other	123.5	6.2%
<b>TOTAL</b>	<b>1,990.5</b>	<b>100.0%</b>
Exhibit: Aid to USDs	805.7	40.5%

Note: "All Other" includes Health and Hospitals, Agriculture and Natural Resources, Recreation and History, and salary plan reserves.

**FY 1989 STATE GENERAL FUND EXPENDITURES**

*(USDs only—40.5%)*



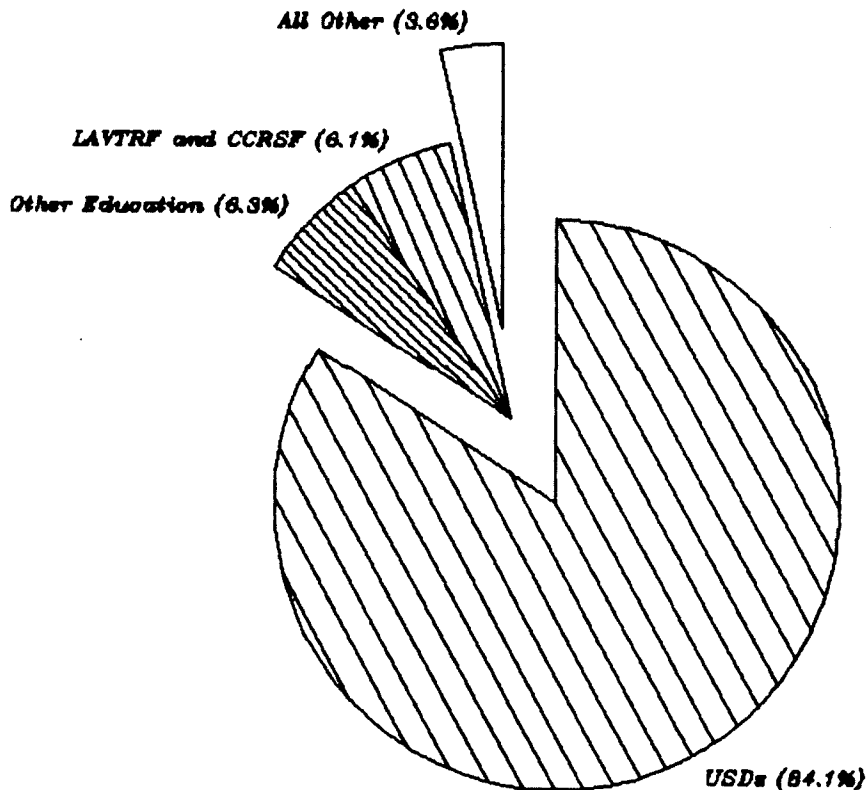


C. FY 1989 State General Fund Aid to Local Governments  
(Amounts in Millions)

Type of Unit	Amount	Percent
School Districts	805.7	84.1%
Other Education	60.1	6.3%
LAVTRF and CCRSF	58.3	6.1%
All Other	34.3	3.6%
<b>TOTAL</b>	<b>958.4</b>	<b>100.0%</b>

- Notes: 1. "Other Education" includes area vocational schools, community colleges, Washburn University, public television and radio, and libraries.
2. "LAVTRF" is the Local Ad Valorem Tax Reduction Fund and "CCRSF" is the County and City Revenue Sharing Fund.

**FY 1989 SGF AID TO LOCAL GOVERNMENTS**



## MEMORANDUM

December 15, 1987

TO: Senate and House Committees on Education  
FROM: Kansas Legislative Research Department  
RE: Legislation Carried Over from the 1987 Session to the 1988  
Session in the Senate and House Committees on Education

This memorandum contains a summary of each item of legislation carried over from the 1987 Session to the 1988 Session of the Legislature in the Senate and House Committees on Education.

### I. SENATE COMMITTEE ON EDUCATION

#### A. Senate Bills in Senate Committee on Education

S.B. 45 (Senator Montgomery). The bill amends the School District Equalization Act (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 of the district to the general fund in any year equalization aid for the SDEA is reduced as a result of the application of an allotment system or by lapse of a part of the appropriation therefor.

(The substance of S.B. 45 is similar to H.B. 2042 and H.B. 2194 and, also, to a provision contained in 1987 H.B. 2106, which was enacted.)

S.B. 61 (Senator Bogina, et al.). The bill amends a provision of the SDEA pertaining to budget controls. The bill amends provisions 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 H.B. 2046.)

S.B. 79 (Committee on Education). The bill amends a section of the Professional Negotiations Act. The principal change is to add three items to the list of mandatorily negotiable items contained in the law: class size provisions, assignment procedures, and transfer procedures.

S.B. 80 (Committee on Education). The bill amends a provision of the Professional Negotiations Act relating to elections pertaining to the designation of a professional employees organization to represent employees for purposes of professional negotiations.

The amendment requires that for any such election, a voting place must be located in each duty center at which at least two professional employees are assigned. Whenever a duty center has only one professional employee assigned to it, the Secretary of Human Resources will designate a voting place for the professional employee. Professional employees must be given an opportunity to vote during any of the duty days upon which the election is held. A further amendment provides that a run-off election must be conducted in the same manner and at the same locations as was the original election.

S.B. 81 (Committee on Education). The bill amends the statute concerning supplemental contracts of teachers and a provision of the Professional Negotiations Act. Furthermore, a definition of "primary contract" is added to the law. The primary contract would include the performance of all duties necessary to the educational program which occur during the duty day and duty year. A primary contract could include, upon mutual agreement of the employee and the board of education, the performance of duties which are outside the duty day or duty year. The definition of the term "supplemental contract" would be revised to be a contract separate and distinct from the primary contract which is for the performance of duties (a) incidental and additional to the duties of the primary contract, (b) outside the regular duty day and duty year, and (c) not directly related to the regular curricular program.

(Presently the law refers to supplemental contracts as involving services other than those covered in the primary contract and including, but not limited to, coaching, supervising, directing, and assisting extracurricular activities, chaperoning, ticket taking, lunchroom supervision, and other similar and related activities.)

S.B. 83 (Senator Bogina et al.). The bill amends the SDEA. The amendment relates to the tax levy and spending authority of school districts under certain circumstances.

The authority granted under this bill applies only to the 1987-88 and 1988-89 school years. Further, application is limited to any school district which is not entitled to receive general state aid in those school years.

The amendment permits such a district to levy an ad valorem tax in each such year at the rate applicable during the 1985-86 school year. The

amount of tax revenue obtained by the district as a result of applying the 1985-86 levy which is in excess of the amount the district otherwise would have obtained under the law must be deposited in the general fund and must be budgeted and expended for operating expenses in the school year in which the excess amount is obtained. No such "excess amounts" gained under the authority of this limited provision may be included in the legally adopted budget of operating expenses of the district.

(See also H.B. 2047 and H.B. 2381.)

S.B. 91 (Senator Bond). 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 would 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 H.B. 2114, which is identical.)

S.B. 139 (Senator Langworthy, et al.). The bill amends a provision of the SDEA pertaining to budget controls and provides additional budget authority for school districts, as follows:

1. School districts would estimate the expenditures in the current year for Social Security, utilities (water, heat, electricity), and insurance. The amount by which the 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 year would constitute the additional budget authority authorized under the amendment. If the actual expenditures in the current year turned out to be less than had been budgeted, the budget for next year would be adjusted downward to reflect the actual expenditures.
2. Additional budget authority would be authorized in instances where a district estimates it will be necessary to transfer from the general fund to the vocational education fund in the current school year an amount greater than the amount transferred in the prior year increased by the percentage increase in the budget per pupil authorized for the district in the current school year. In the following year the amount of budget authority gained pursuant to this provision would be adjusted based on the actual amount of money the school district transferred to the vocational education fund in the prior year.

S.B. 140 (Senator Langworthy, et al.). The bill amends a provision of the SDEA pertaining to budget controls and provides additional budget authority for school districts, as follows:

1. School districts would estimate the expenditures in the current year for Social Security, utilities (water, heat, electricity), and



insurance. The amount by which the 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 year would constitute the additional budget authority authorized under the amendment. If the actual expenditures in the current year turned out to be less than had been budgeted, the budget for next year would be adjusted downward to reflect the actual expenditures.

2. Additional budget authority would be authorized in instances where a district estimates it will be necessary to transfer from the general fund to the special education fund in the current school year an amount greater than the amount transferred in the prior year increased by the percentage increase in the budget per pupil authorized for the district in the current school year. In the following year the amount of budget authority gained pursuant to this provision would be adjusted based on the actual amount the school district transferred to the special education fund in the prior year.

S.B. 145 (Committee on Education). The bill relates to state financial aid to Washburn University of Topeka. The bill proposes the following changes:

1. Out-district tuition charged to counties and to the townships in Shawnee County and out-district state aid are increased from \$23 to \$24 per credit hour.
2. Credit hour state aid for Kansas resident undergraduate enrollments is increased from \$26.25 to \$27.25 per credit hour.
3. The rate of credit hour state aid for subjects or courses which are part of a vocational program approved by the State Board of Education is set at a multiple of 1.5 times the rate for undergraduate academic credit hours. (Presently there is no vocational education multiple applicable to vocational credit hours at Washburn University.)
4. The rate of credit hour state aid for resident graduate students (excluding law) is increased from \$25 to \$26.
5. There is no change in the 1.5 multiple for enrollments in the law school; however, that rate of credit hour state aid would be increased by \$1.50 due to the increase of \$1.00 per credit hour in the rate of credit hour state aid for undergraduate enrollments.

(S.B. 145 was not enacted. Instead, an appropriation of a \$200,000 operating grant for Washburn University was approved.)

S.B. 169 (Committee on Education). The bill creates a state aid program for payment of academic advancement awards to community colleges. Beginning in FY 1989, a community college would be eligible to receive a state academic advancement award subject to the following conditions:

1. The community college must submit an approvable application to the State Board of Education.
2. In the fiscal year in which an application is submitted, the community college must have obtained from private sources and deposited in its academic advancement fund an amount which is equal to or more than 40 percent of the award being requested from the state.
3. The maximum academic advancement award any community college could receive in a fiscal year is \$125,000.

Academic advancement funds of community colleges must be used to advance education at the community college. The board of trustees determines the uses of the academic advancement fund, which may include: purchase or rental of scientific, instructional, or technical equipment; professional development and training for faculty; and other appropriate activities determined by the trustees. Any state award received by a community college must be deposited in its academic advancement fund. Any moneys received from donations, gifts, grants, or contributions that are not subject to conditions to the contrary, may be transferred to or deposited in the academic advancement fund.

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

The bill contains a proration provision if appropriations are insufficient to pay the full amount to all community colleges which have been approved.

S.B. 179 (Senator Mulich, et al.). The bill requires, beginning July 1, 1987, that any school transportation vehicle, which is purchased must be equipped with a safety belt, seat belt, or other passenger safety restraining system.

"School transportation vehicle" includes motor vehicles, buses, and school buses owned, contracted, leased, or hired by a school district for the purpose of furnishing transportation.

S.B. 191 (Senator Steineger). 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).)

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

S.B. 194 (Senator Hayden). The bill permits school district boards of education to adopt supplemental salary plans in which teachers voluntarily may participate. Participation in such a plan must be agreed to by the school board and the teacher. In exchange for participation in the supplemental salary plan, the teacher waives his or her statutory tenure (due process) rights. School boards are authorized to levy up to 1.5 mills to fund a supplemental salary plan.

S.B. 206 (Senator Mulich, et al.). The bill establishes a new state aid program to assist school districts which operate remedial study programs.

A remedial study program is one designed for the purpose of providing remedial instruction to pupils who have not performed satisfactorily on the minimum competency assessment program due to ineffective study skills.

The State Board of Education would administer this program, including:

1. prescribing criteria for identification of pupils who require remedial instruction and instruction in acquiring effective study skills;
2. establishing standards for a remedial study program;
3. establishing criteria for approving remedial study programs and applications of boards for state aid; and
4. being responsible for the allocation and distribution of state aid for such programs.

Any school district could operate a remedial study program approved by the State Board and receive state aid of up to \$150 per participating pupil, not to exceed the actual cost of the program. The district's application must contain the following information:

1. the number of pupils participating in the program;
2. a description of the scope, objectives, and activities of the program for the year;
3. the amount budgeted by the board for operation of the program;
4. the amount of the actual expenses incurred by the school district for operation of the program; and
5. such other information as determined by the State Board.

All state remedial study program funds received by a school district would be deposited in the "remedial study program operations fund" of the school district. Amounts deposited in the remedial study program operations fund would supplement amounts spent from the general fund of the school district for the operation of such programs.

S.B. 213 (Senator Parrish). The bill prohibits a school district from denying a person admission to school solely because the person is eligible for participation in an adult basic education program maintained by the school district or because the person has obtained general educational development credentials. Any such person who applies to the school board for admission to school must be allowed to enroll in and attend school at the appropriate grade level and to continue school attendance until the person has completed the course requirements of the State Board of Education which are necessary for graduation from high school.

S.B. 267 (Committee on Education). The bill pertains to state aid for community colleges. For state aid purposes, a new type of credit called "developmental credit" is identified. Developmental credit is a type of credit assigned to subjects or courses that are preparatory for participation in a program leading to a postsecondary certificate or degree. Developmental credit is to be distinguished from college credit, which is credit assigned to subjects or courses that are part of an organized and specified program leading to a postsecondary certificate or degree. Developmental credit hour state aid would be paid for Kansas resident student enrollments at the rate of 1.5 times the rate for college credit hour state aid, presently set at \$26.25 per credit hour.

S.B. 281 (Committee on Federal and State Affairs). The bill adds the following acts to the listing of reasons which authorize a school district board to suspend or expel a student:

1. any offense specified in the Uniform Controlled Substances Act;
2. possession or use of tobacco products while on campus or under the authority of school personnel;
3. unlawful possession, use, selling or furnishing, or being under the influence of a controlled substance, as defined under the Uniform Controlled Substances Act, an alcoholic beverage or an intoxicant of any kind while on campus or under the authority of school personnel; and
4. unlawful possession of or unlawfully offering, arranging, or negotiating to sell any drug paraphernalia while on campus or under the authority of school personnel.

In addition, the bill prohibits a school board from setting aside any area on the campus for allowing pupils to possess or use tobacco products.

S.B. 310 (Committee on Education). The bill authorizes development and operation of at-risk pupil assistance programs and provides grants of state aid for such programs.



An "at-risk pupil assistance program" is a program of a school district board designed to provide at-risk pupils with remedial instruction, intensive guidance and counseling services, independent study assistance in the attainment of competency objectives contained on the minimum competency tests, and an opportunity to complete the requirements for grade level promotion or graduation from high school.

An "at-risk pupil" is a person of school age who is a dropout or potential dropout, has an excessive rate of unexcused absences, is a parent, has been adjudicated as a juvenile offender, is two or more credits behind other pupils in the same age group in the number of graduation credits attained, has been retained one or more grades, or has failed one or more of the minimum competency tests.

The grant program would be administered by the State Board of Education. Any school district operating an assistance program for at-risk pupils could apply for a state grant to supplement amounts being spent for this program. Boards could enter into cooperative or interlocal agreements for the provision of these programs.

The State Board would develop funding priorities for the grants based upon the dropout rate for the school district, the number and percentage of pupils who fail the minimum competency tests, the level of effort exhibited in past years by the district in addressing the problem of at-risk pupils, an evaluation designed to measure the effectiveness of the school district assistance program, the potential effectiveness of the program, and cooperative efforts among districts with similar needs.

Each year, the State Board would award grants to school districts which are providing the most comprehensive assistance programs and which exhibit the greatest ability in meeting the special needs of at-risk pupils. The amounts of the grants would be determined on the basis of the State Board's funding priorities. The State Board would set a maximum grant amount which does not exceed a fixed amount per at-risk pupil. Grants could be renewed for two years (three years total). Money received by the school district for an assistance program would be deposited in the "at-risk pupil assistance program fund," and would supplement school district expenditures from the general fund for this purpose. The State Board could provide technical assistance to school districts concerning this matter.

S.B. 343 (Committee on Education). The bill authorizes community colleges to operate summer honors programs and provides grants of state aid therefor.

A summer honors program is a program designed by a community college and operated during the summer months to provide talented students with comprehensive and challenging college level courses that will improve the preparation of the students for successful matriculation at a community college. A talented student is a Kansas resident who has been graduated from or has completed the third year at an accredited high school, has been nominated for participation in the summer honors program by the principal of such high school, and is preparing to attend a community college.

Any community college could operate a summer honors program. In order to be eligible for a state grant, the program would have to: (a) operate for at least four weeks, (b) provide for participation by at least 150 talented students in at least three courses of instruction (courses must meet daily for at least one hour), and (c) secure approval by the State Board of Education as a valid community college level program.

No out-district tuition or regular state aid entitlement could be based on enrollment of talented students in courses of instruction provided under a summer honors program.

The State Board of Education would administer the program and establish standards for approving summer honors programs and applications for grants of state aid.

In each year, based on available appropriations, the State Board would select not more than two community colleges for the award of grants of state aid for financing summer honors programs.

S.B. 358 (Committee on Ways and Means). The bill proposes enactment of the Higher Education Faculty Relations Act (HEFRA). The purpose of the act is stated to be to preserve and encourage consultation between administration and faculty in the governance of the Regents' institutions.

The Public Employer-Employee Relations Act (PEER) is amended to remove the unclassified employees of the State Board of Regents and its institutions from coverage under that act and place them under the provisions of the proposed HEFRA.

The bill is intended to be a "meet and confer" rather than a "collective bargaining" approach to faculty relations regarding conditions of employment. Conditions of employment is defined as salaries, workload, vacation allowances, sick and injury leave, number of holidays, retirement benefits, insurance benefits, prepaid legal service benefits, wearing apparel, and grievance procedures limited to conditions of employment. In this respect, the following elements are incorporated:

1. There is no obligation for the employer and employees to enter into a memorandum of agreement.
2. There is a listing of prohibited employer and employee practices, among which is refusing to meet and confer as provided in the bill.
3. There is an impasse procedure which employs the process of mediation. (At the request of either party or upon its own motion, the Public Employee Relations Board (PERB) may appoint a mediator (or mediators) from a list maintained by the Secretary of Human Resources.)
4. Except as otherwise provided in the act, the employer and faculty organization representatives are required to meet and confer in good faith and discuss conditions of employment and are author-



ized to enter into a memorandum of understanding concerning conditions of employment.

The bill contains several features designed to preserve management prerogatives. These include the following provisions:

1. Nothing in the law is to be viewed as limiting the right of the employer to direct the work of faculty; hire, promote, demote, transfer, assign, and retain faculty; suspend or discharge faculty; maintain the efficiency of government operations; relieve faculty members from duties due to lack of work or for other reasons; take action necessary to respond to emergencies; and determine methods, means, and personnel by which operations are carried out.
2. The employer is not required to recognize a new faculty organization within 150 days preceding the budget submission date.
3. The employer is not obligated to begin meet and confer proceedings during the period 120 days prior to the budget submission date until 30 days after such date.
4. In emergency situations, the governing body may adopt a resolution which suspends the obligation of the employer to meet and confer during the period of the emergency, as specified in the resolution.
5. Memorandums of understanding, which may be executed for a maximum term of three years, may not include matters pertaining to conditions of employment which are preempted or fixed by federal or state law; which pertain to faculty rights to organize; which pertain to employer rights (listed in 1 (above)); or which pertain to any unclassified salary fixed by or in any rules and regulations or policy adopted by the governing board.
6. Any provision of a memorandum of understanding which is in conflict with any state law or the state constitution is null and void.
7. Nothing in HEFRA is to be construed as creating any right that cannot be nullified by legislative act.
8. Whenever a legislative act conflicts with a memorandum of understanding entered into under HEFRA, the memorandum is deemed to be amended accordingly.

Whenever an agreement is reached by the employer representative and the faculty organization, a memorandum of understanding is prepared and presented jointly, within 14 days, to the governing board for approval or disapproval. The chief financial officer of the employer prepares a report of the fiscal effect of the terms of the memorandum and submits it to the governing body. Subsequently, the governing body considers the memorandum and takes

action on it. If the memorandum is rejected, it is returned to the parties for further deliberation.

The bill establishes procedures for determining appropriate employee units and recognizing employee organizations. Key features include:

1. A unit determination question could be raised by PERB, the employer, a group of faculty members, or a faculty organization. If either of the latter two raise the question, it must be supported by signatures of 30 percent of the faculty members of the proposed unit.
2. A petition by faculty members for investigation of a representation request must include the names of at least 30 percent of the faculty members of the unit.
3. PERB will make unit determinations; it also will determine representation issues. Once an organization has been recognized, PERB is not required to consider the matter again for one year.
4. Representation elections are required to include the choice of no representation on the ballot.
5. In order to be recognized, a faculty organization must maintain democratic practices and maintain standards of fiscal integrity, and have reasonable provisions for admission to and dismissal from membership.

The bill also includes provisions for registration of the business agent of an employee organization and for the filing of certain reports by the organization.

S.B. 381 (Committee on Ways and Means). The bill establishes the Kansas Honors Scholarship Program for Kansas Honor Students. This program would be administered by the State Board of Regents.

A Kansas Honor Scholarship is a state award to a Kansas honor student who has established financial need. A Kansas honor student is a resident of Kansas who has not graduated from high school, is intellectually talented, has demonstrated outstanding scholastic ability and achievement, and is enrolled in or has been accepted for enrollment in an honors or gifted program.

A Kansas Honors Scholarship may be awarded to any Kansas honor student enrolled in an honors or gifted program at any state educational institution. No person may receive this scholarship for more than two honors or gifted programs.

The amount of a Kansas Honors Scholarship would be the lesser of the total tuition and required fees for the program or the average amount of total tuition and required fees of Kansas resident students who are enrolled for five hours of credit at the state universities.



The State Board of Regents would be authorized to use up to 1 percent of the amount appropriated each year for the state scholarship program to pay Kansas honors scholarships. If funds available for this program are not sufficient, the scholarships would be prorated.

*DIST. APPROVED BY BOARD*  
S.B. 382 (Committee on Ways and Means). The bill pertains to the authority of the Shawnee Mission School District (USD 512) to issue general obligation bonds. Instead of holding an election on the question of issuing general obligation bonds, the Shawnee Mission School Board is authorized in the 1987-88 and 1988-89 school years to issue such bonds subject to a protest petition/election provision. In order to use this limited authority, the board must adopt a resolution stating the purpose for which the bonds are to be issued and the estimated amount thereof. The bonds will be issued 30 days after the last publication of the resolution unless, within such 30 day period, a protest petition, signed by not less than 5 percent of the qualified electors of the school district, is filed with the county election officer. The resolution shall be published once a week for two consecutive weeks in a newspaper having general circulation in the school district. If no such petition is filed, the board is authorized to issue the bonds. If a petition is filed, the bonds can be issued only if approved at an election of the question of issuing the bonds.

S.B. 393 (Committee on Ways and Means). The bill pertains to building, mechanical, electrical, and plumbing codes applicable to school building construction. The amendment provides that such construction must meet the more stringent standards of a city or county when such standards exceed those specified in the law.

#### B. House Bills in Senate Committee on Education

Sub. for H.B. 2102 (Legislative Commission on Kansas Economic Development). The bill proposes to expand the statutory powers and duties of the State Board of Regents by adding responsibility for statewide coordination of higher education, which includes the state educational institutions (which are the six Regents' universities, the Medical Center, the Veterinary Medical Center, and Kansas Technical Institute); Washburn University; the community colleges; and the two- and four-year independent colleges and universities.

In addition, all powers, duties, and functions of the State Board of Education relating to the supervision of community colleges are transferred on July 1, 1987, to the State Board of Regents. The community colleges' boards of trustees retain responsibility for operation, management, and control of the colleges under their jurisdiction. No substantive changes are made in the statutory funding arrangements for community colleges.

Additionally, all powers, duties, and functions of the State Board of Education relating to the supervision of Washburn University are transferred to the State Board of Regents. Washburn's board of regents retains responsibility for operation, management, and control of the institution. No substantive changes are made in the statutory funding arrangements for Washburn University.

In order to assist in performing the State Board of Regents' new responsibilities, two five-member committees are established.

1. The State Committee on Community Colleges is assigned responsibilities pertaining to the 19 community colleges.
2. The State Committee on State Educational Institutions and Municipal Universities is assigned responsibilities pertaining to the six Regents' universities, the Medical Center, the Veterinary Medical Center, Kansas Technical Institute, and Washburn University.

Members of the two committees would be Regents. Four of the nine Regents would be appointed by the Chairperson of the State Board to serve on one committee and the other four to serve on the second committee. The Chairperson would be an ex officio member of each such committee. No member of the State Board other than the Chairperson would serve on one of the committees for more than two consecutive years.

The State Board is authorized to appoint a Commissioner of Higher Education. The Commissioner, subject to approval by the State Board of Regents, will appoint an Assistant Commissioner of Community Colleges, an Assistant Commissioner of State Educational Institutions and Municipal Universities, and other staff deemed necessary.

#### State Board of Regents

New duties and functions assigned to the Regents include:

1. Conduct master planning for statewide coordination of higher education.
2. Provide for transfer and articulation of students among higher education institutions.
3. Approve all new programs and courses.
4. Review existing programs and courses, and have authority to eliminate those at state educational institutions.
5. Review institutional budget requests and state funding requests, and make recommendations to the Governor and Legislature.
6. Develop and recommend annually to the Governor and Legislature a policy agenda for higher education which assesses priorities for policy changes, programs, and state funding.
7. Study ways to maximize utilization of resources and initiate changes deemed necessary for higher education.
8. Study accessibility to postsecondary education and initiate programs to increase access.



9. Review recommendations of the two State Committees and take appropriate actions.
10. Report annually to the Governor and Legislature.
11. Exercise other powers and duties deemed necessary or prescribed by law.

#### Commissioner of Higher Education

Powers and duties assigned to the Commissioner include:

1. Serve as chief executive officer for the State Board of Regents.
2. Set the Board's agenda and call special meetings of the Board.
3. Develop and recommend to the State Board a master plan for statewide coordination of higher education, and update the master plan recommendations as necessary.
4. Advise the State Board and recommend appropriate policies and actions.
5. Review programs, courses, and budgets of state educational institutions, and make recommendations to the State Board.
6. Represent the State Board before the Governor and Legislature.
7. Make recommendations to the State Board on appointments of institutional chief executive officers at state educational institutions.
8. Appoint assistant commissioners and other staff subject to approval of the Board.
9. Exercise other powers and duties delegated by the Board, or prescribed by law.

#### Assistant Commissioners

Responsibilities assigned to the Assistant Commissioners include:

1. Serve as chief administrative officer for the respective Committee.
2. Set the respective Committee's agenda and keep a record of its proceedings.

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.

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