

Approved February 29, 1988

Date

AMENDED  
MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Senator Joseph C. Harder at  
Chairperson

1:30 ~~am~~/p.m. on Wednesday, February 24, 1988 in room 123-S of the Capitol.

All members were present except:

Committee staff present:

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

Conferees appearing before the committee:

Continued hearing on:

SB 604 - Educational excellence grant programs, educational system enhancement plans, performance-based pay plans. (D. Kerr et al.)

Opponents:

Dr. Richard Funk, Assistant Executive Director, Kansas Association of School Boards  
Ms. Brilla Highfill Scott, Assistant Executive Director, United School Administrators of Kansas  
Ms. Carolyn Kehr, Kansas Federation of Teachers

SB 636 - Vocational education scholarships; administration of the act providing therefor. (Education)

Proponents:

Mr. Michael O'Keefe, Director of the Budget, State of Kansas

Opponents:

Mr. Don Siemsen, Assistant Director, Manhattan Area Vo-Tech School  
Dr. W. Merle Hill, Executive Director, Kansas Association of Community Colleges  
Mr. Bill Berry, Director, Manhattan Area Vocational-Technical School  
Ms. Clantha McCurdy, Director of Financial Aid, State Board of Regents  
Ms. Connie Hubbell, Legislative Chairman, State Board of Education

SB 604

After calling the meeting to order, the Chairman announced that the Committee would continue its hearing on SB 604, since some of the conferees were not able to be heard at the meeting yesterday due to lack of time. He thanked the conferees for returning today.

The Chairman then called on Dr. Richard Funk of the Kansas Association of School Boards, who said that although his organization believes in the basic concepts of SB 604, it objects to the method of funding such a program and believes it may have a disequalizing effect upon some districts. Dr. Funk's concerns are further stated in Attachment 1. He requested that the Committee withhold action on SB 604 until such time when adequate funds should become available.

Ms. Brilla Highfill Scott, United School Administrators, stated that her organization would oppose SB 604 so long as Kansas teachers' salaries fall below the national average. In responding to a question, Ms. Scott reminded the Committee that historically speaking, the desired goal has been to achieve 50% funding for the SDEA by the state and felt this goal, too, should be realized before U.S.A. could support enactment of SB 604.

Ms. Scott requested that the Committee report SB 604 unfavorably. (Attachment 2) In responding to a question posed by Sen. Arasmith, Ms. Scott acknowledged that the state's share of funding for school districts exceeds fifty percent if expenditures for transportation and special education are included in the total amount of funding.

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 ~~xxx~~/p.m. on Wednesday, February 24, 1988.

Ms. Carolyn Kehr informed the Committee that although the director of the Kansas Federation of Teachers, Mr. James E. Copple, had planned to testify on SB 604 at the meeting yesterday, he was unable to attend today's meeting due to a prior commitment. Ms. Kehr testified that although there are many positive features in SB 604, its weakest component is contained in the brief phrase, "performance evaluation", and said that part is not consistent with national reform efforts. She said that many of the items listed in the bill, lines 0059-0063, are items that could be negotiated under present law. Additional concerns expressed by Ms. Kehr are found in Attachment 3.

SB 636

The Chair recognized the first conferee on SB 636, Mr. Michael O'Keefe, Director of the Budget, who explained that SB 636 would amend existing statutes to provide for dual administration of the Vocational Education Scholarship Program by the Board of Regents and the Board of Education. He further stated that it is the Governor's intent that the Vocational Education Scholarship funds be administered by the state agency responsible for the operation of the type of institution a vocational education scholar is attending. (Attachment 4)

Opposing SB 636, Mr. Don Siemsen, Assistant Director of the Manhattan Area Voc-Tech School, speaking on behalf of the Kansas Area Vocational Technical School Counselors Association, described the background of the Vocational Education Scholarship Program before stating that the main reason he is opposed to the bill is that he feels the administration of the program needs to be the responsibility of one agency and not be split according to the provisions of SB 636. (Attachment 5)

Dr. W. Merle Hill of the Kansas Association of Community Colleges recommended that no changes be made in the current statutes and that the bill be reported unfavorably for passage. He felt there was no need to duplicate what is already in place. Further testimony is found in Attachment 6.

The representative of the Kansas Association of Area Vocational-Technical Schools, Mr. Bill Berry, also stated that his organization opposes SB 636, because it would split the administrative responsibilities of the scholarship program and stated that this would not be a sound administrative or fiscal practice. He recommended that the Kansas Vocational Education Scholarship Program be assigned to the State Board of Education, since most of the recipients are likely to be enrolled in either an area vocational-technical school or a community college. (Attachment 7)

The representative of the State Board of Regents, Ms. Clantha McCurdy, who is Director of Financial Aid, stated her opposition to the division of duties for this program between two agencies. Ms. McCurdy reaffirmed Dr. Hills' testimony when she stated that the institution the student chooses to enroll in is not known until after being named as a Vocational Education Scholar (under current law). Further concerns are expressed by Ms. McCurdy in her testimony found in Attachment 8.

Ms. Connie Hubbell, State Board of Education, expressed her concerns regarding the split in administration of the Vocational Education Scholarship Program between the State Board of Education and the State Board of Regents that would be caused by the enactment of SB 636 and recommended that the program be administered by one state agency. (Attachment 9)

Hearing no further requests for testimony on SB 636, the Chairman announced that the hearing on SB 636 was concluded and that the bill would be taken under advisement. Senator Karr moved, and Senator Arasmith seconded a motion to approve Committee minutes, as amended, of February 22. The minutes were approved, and the Chairman adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 123-S DATE: Wednesday, February 24, 1988

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Dennis Williams	Topeka	Div. of Budget
Clantha McCurdy	Topeka	Board of Regents
Michael O'Keefe	Topeka	Div. of Budget
Howard Gray	Pratt	Pratt USD 382
Mark E. Tallman	Topeka	ASK
Kathy Hlick	Topeka	ASK
John W. Keyser	Topeka	KASB
Stacy Lynn Dwyer	Wichita	USD 259
Delen Stephens	Topeka	USD 580
Kay Cole	Topeka	K-NEA
Craig Grant	Topeka	H-NEA
Constance L. Lueders	Topeka	SEBD p 20

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 123-S DATE: Wednesday, February 24, 1988

GUEST LIST

NAME

ADDRESS

ORGANIZATION

NAME	ADDRESS	ORGANIZATION
Oranl Burnett	Topeka	USD 387
Dashell Wanzo	1930 Washburn Topeka	Internship
Harold Pitts	Topeka	KRTA
Caryl Kehr	Topeka	KFT
Don Siensen	Manhattan	Manhattan AVTS
Bill Berry	Manhattan	Ks Assoc. of Area Voc. Tech. Schools
David DePue	Topeka	KCOVE
Merle Free	"	KACC

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS



5401 S. W. 7th Avenue Topeka, Kansas 66606  
913-273-3600

TESTIMONY ON S.B. 604

by

Richard S. Funk, Assistant Executive Director  
Kansas Association of School Boards

February 23, 1988

Mr. Chairman and members of the committee, we appreciate the opportunity to appear today on behalf of the 302 members of the Kansas Association of School Boards. KASB opposes the provisions found in S.B. 604.

The Kansas Association of School Boards does not object to the basic concepts found in S.B. 604. We believe in excellence in education. We assist local boards of education in their attempts to obtain educational excellence. We believe that an educational excellence grant program should be optional - as outlined in S.B. 604.

We object to the method of funding such a program. We also believe such a program may have a disequalizing effect upon some districts. We would probably be supportive of an optional "grant program" if we could be assured that there would be adequate and additional funding from the state. We do not like to be put in a position whereby we are made to choose between SDEA monies, special education and transportation monies, and then asked about other programs. The legislature should insure that adequate financing is available at the start and that there is a continuation of such funding.

Recognize in the formula the different abilities among districts to "match" the grant award from the state. Not all districts can raise the needed monies due to their differing wealths.

Mr. Chairman and members of the committee, we ask you to withhold any action on S.B. 604 until adequate funds are available now and in future years.





SENATE BILL NO. 604

Testimony presented before the Senate Education Committee  
by Brilla Highfill Scott, Associate Executive Director  
United School Administrators

Mister Chairman and Members of the Senate Education Committee:

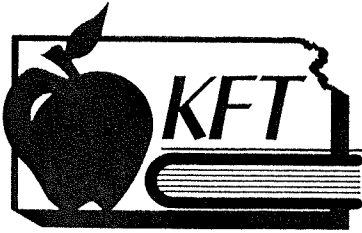
United School Administrators of Kansas appreciate the Senate's desire to design a plan to promote excellence in education in our state. However, our membership consisting of some 1300 administrators has asked me to speak in opposition to Senate Bill 604.

USA is opposed to a performance-based pay plan or merit pay so long as Kansas teachers' salaries fall below the national average.

The Kansas administrators and other educational agencies have consistently voiced their need for 50 percent funding of the USD General Fund Budgets. Since 1979 the state of Kansas has reduced its share of funding from 46.7 percent to 42.8 percent. We understand this reduction in support was the result of poor economic conditions in our state. A decline in state support from 47 to less than 43 percent has created an undue burden on local property taxes.

Until state funding reaches 50 percent, United School Administrators of Kansas would ask that you report SB 604 unfavorably.

Attachment 2, 2/24/88



# KANSAS FEDERATION OF TEACHERS

310 West Central/Suite 110 • Wichita, KS 67202 • (316) 262-5171

TESTIMONY IN A "LITTLE BIT" OPPOSITION TO SENATE BILL NO. 604

James E. Copple, Director  
Kansas Federation of Teachers

February 24, 1988

Mr. Chairman, members of the Senate Education Committee, please excuse the playful title of our testimony. It does express, however, the dilemma we are experiencing in relationship to this bill. Let me state for the benefit of the committee, that the Kansas Federation of Teachers is opposed to merit pay. We are especially opposed to merit pay proposals that are imposed on teachers without the benefit of fair and open negotiations. We have never encountered an evaluation device that can truly judge the merits of teaching. Because there is no effective evaluation device, districts that have sought to impose merit pay plans have left the experience frustrated. Now that our position on merit pay is clear, let me offer the following analysis of Senate Bill No. 604.

Senate Bill No. 604 is progressive. Lines 40 to 54 will encourage districts to experiment with innovative programs that will hopefully improve the performance of students. Public education must continually adjust to the pressures and demands placed upon it by society. The enhancement component of this legislation will provide a stimulus to districts looking to address the changing needs of their students. It is good policy when the legislature can provide funds and incentives to encourage districts in the state of Kansas to be creative for the purpose of improving pupil attitude and achievement. Unfortunately, this bill would have us fund this program from an already burdened SDEA. Innovative programs such as Senate Bill 604 demands that we find new money.

The second component of this legislation, the performance-based pay plan also has many positive features. In order to implement the plan, the board and the majority of the professional employees must agree to the development and implementation of the plan. Many of the items listed in the bill, lines 59-63 are items that could be

negotiated under current law. Performance-pay based on difficult criteria such as attendance and performance in the classroom are problematic. We would have to see a successful evaluation device and a model of performance-pay based on attendance before we could support such a measure.

The dilemma for our organization, is that there are so many positive features in this bill. On the surface it seems fair, equitable and consistent with reform efforts throughout the country. Its weakest component, and that part which is not consistent with national reform efforts is the brief phrase, "performance evaluation." The American Federation of Teachers believes strongly in accountability. Let accountability come through peer evaluation and peer intervention. This legislation, while not prohibiting such programs, does not encourage them. We would encourage the State Department of Education to explore national models of "teacher empowerment" and to assist in the development of those models. Once Kansas has witnessed several successes in the programs described in Senate Bill 604, then perhaps all the students and citizens of Kansas can benefit from the "good things" contained in this legislation.



STATE OF KANSAS  
DEPARTMENT OF ADMINISTRATION  
MIKE HAYDEN, Governor  
MICHAEL F. O'KEEFE, Director of the Budget  
Room 152-E, Capitol Building  
(913) 296-2436

MEMORANDUM

TO: Senate Education Committee  
FROM: Michael F. O'Keefe, Director of the Budget  
DATE: February 24, 1988  
SUBJECT: Testimony on Senate Bill No. 636

Senate Bill No. 636 would amend existing statutes to provide for dual administration of the Vocational Education Scholarship Program by the Board of Regents and the Board of Education. The Board of Regents would administer the program for, and award scholarships to, those students attending Kansas Technical Institute, the Technical Education Center at Pittsburg State University, or Washburn University. The Board of Education would administer the program for, and award scholarships to, those students attending community colleges and area vocational technical schools. Presently the program is administered by the Board of Regents for students attending both Regents and Non-Regents institutions.

It is the Governor's intent that the vocational education scholarship funds be administered by the state agency responsible for the operation of the type of institution a vocational education scholar is attending. Therefore, the Board of Regents should

administer the program for students at Regents institutions and the Board of Education should administer the program for students attending community colleges and area vocational technical schools.

The FY 1989 Governor's Report on the Budget includes funds in the budgets for the Board of Regents and the Department of Education to award vocational education scholarships. The Governor's recommendations would provide an amount of \$7,500 in the Board of Regents' budget for a total of 30 scholarships. These scholarships would be in the amount of \$250 and would be provided to 15 second-year students and 15 first-year students. The Governor's recommendations for FY 1989 provide an amount of \$30,000 in the Department of Education's budget. This amount would be for 120 scholarships of which 35 would be for second-year students and 85 would be for first-year students.

In summary, the Governor's recommendation would provide the funding for and administration of the Vocational Education Scholarship Program in a more appropriate manner.

Members of the Kansas Senate Education Committee.

I am Don Siemsen, Assistant Director, Manhattan Area Vo-Tech School. I appreciate the opportunity to speak to you about Senate Bill 636 and the Vocational Education Scholarship program. I am speaking as a representative of the Kansas Area Vocational Technical School Counselors Association.

We are opposed to Senate Bill 636 and give several reasons for this.

Let me first give a brief history of the Kansas Vocational Education Scholarship. Originally there was no scholarship program on a state-wide basis available to students enrolled in a vocational program. Through the efforts of the Kansas Association of Student Financial Aid Administrators, provision was made for participation in the Kansas State Scholarship program by students enrolled in a vocational-technical school program. A separate qualifying exam was established to determine state scholars.

After several years the qualifying exam that was being used, the Career Planning Profile, was made available for general use by the secondary schools in Kansas. As a result, the security of the exam was lost.

It was then determined to use the American College Testing (ACT) test but to weigh the scores differently to determine vocational scholars. This procedure was determined to be discriminatory. As a result, the ACT was used for all applicants, students who wished to attend a vocational program had to compete with students attending academic programs. We did not feel this was fair to students who needed mechanical, clerical, or other skills rather than academic.

A committee was formed. I was a member of that committee. We developed a program and presented it to the Legislative Educational Planning Committee in the summer of 1985. They agreed a program was needed and presented House Bill 2675 to the legislature to establish the Vocational Education Scholarship in the 1986 legislative session.

The basic concept was to provide 100 scholarships up to \$500.00 each to the 100 top qualifiers on a qualifying exam. This was open to anyone interested in enrolling in an approved vocational program in a Kansas school. This made it available to persons of all ages, not just high school students as is the general case with the ACT. Also, it is based on merit, not need.

This is the first school year we had recipients. We are testing for the 1988-89 school year. SB 636 would ask you to change the program after only 1 year.

SB 636 would split the administration of the program between two agencies. This is the main reason we are opposed to this bill. The program needs to be the responsibility of one agency. Since the Board of Regents has been administering the program we suggest it remain with them. They have been cooperating with us to make this an outstanding program.

Line 0081 has 100 crossed out. The program cannot be administered properly without guidelines as to the number of scholars, or the dollar amount of the scholarship, etc.

We recommend this committee defeat this bill and that we concentrate our efforts making the Vocational Education Scholarship the best program.

While the funding appropriation is not a part of this bill,



we suggest the amount of \$75,000.00, as requested by the Board of Regents, be approved by the Senate as a part of the Appropriations Bill.



# KANSAS ASSOCIATION OF COMMUNITY COLLEGES

Columbian Title Bldg., 820 Quincy • Topeka 66612 • Phone 913-357-5156

W. Merle Hill  
Executive Director

To: Senate Committee on Education

From: Merle Hill, Executive Director  
Kansas Association of Community Colleges

Date: February 24, 1988

Subj: Senate Bill No. 636

The changes proposed in Senate Bill No. 636 do not actually affect any of the community colleges themselves, so the opposition of the Kansas Association of Community Colleges to the bill can be characterized as mind. The Board of Regents already has machinery in place to deal with the vocational scholarship program, and there appears to be no need to duplicate what is already in place.

It is our understanding that a vocational scholarship applicant does not apply to attend any particular institution but merely for the scholarship itself. After the scholarship is awarded, the applicant chooses his/her school.

Last year, all but a dozen or so of the scholarships were awarded to individuals who chose to attend either a community college or an area vocational-technical school, and it is obvious that no preference is being given to Kansas Technical Institute or to Pittsburg State University.

The KACC recommends that no changes be made in the current statutes and that the bill be reported unfavorably.

SENATE EDUCATION COMMITTEE  
February 24, 1988  
SB 636

My name is Bill Berry, I am the Director of the Manhattan Area Vocational-Technical School. I am here representing the Kansas Association of Area Vocational-Technical Schools in opposing SB 636.

During the 1987 session, the Kansas Legislature provided for the Kansas Vocational Education Scholarship Program. Administered by one agency, the State Board of Regents, the scholarship program has provided financial assistance to postsecondary people who might not otherwise have been financially able to attend a vocational education program.

SB 636 requires a split in administrative responsibilities. The State Board of Regents would be responsible for a portion of the program, and the State Board of Education would likewise be responsible for a portion. This is not sound administrative or fiscal practice. The K.A.A.V.T.S. opposes SB 636 for this reason.

The Association's position is that \$75,000 should be allocated to the Scholarship program and that the responsibility for administration should rest solely with one agency. The State Board of Education is responsible for area vo-tech schools and community colleges. Most of the scholarship recipients are likely to be enrolled in these institutions. Therefore, it is our recommendation that the administration of the Kansas Vocational Education Scholarship Program be assigned to the State Board of Education.

Thank you.



# KANSAS BOARD OF REGENTS

SUITE 609 • CAPITOL TOWER • 400 SW EIGHTH • TOPEKA, KANSAS 66603-3911 • (913) 296-3421

SENATE BILL 636

KANSAS VOCATIONAL EDUCATION SCHOLARSHIP

Testimony by

Clantha McCurdy

Director of Student Financial Aid

February 24, 1988

Attachment 8, 2/24/88



## Senate Bill 636

For the past two years, the Board of Regents has been responsible for the administration of the Kansas Vocational Education Scholarship Program. The Vocational Education Scholarship Program provides scholarship assistance in an amount up to \$500 per school term to students choosing to enroll in vocational education programs at eligible postsecondary institutions in Kansas.

Selection as a Vocational Scholar is made on the basis of test scores achieved on a competitive exam administered twice a year at various locations around the state. Under current legislation, the top 100 students are selected for this program based on their performance on the competitive exam.

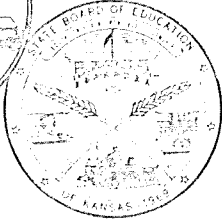
Senate Bill 636 splits the administrative responsibilities for this program between two agencies, the State Department of Education and the Kansas Board of Regents. If approved, this bill will provide the necessary legislation to support the Governor's budget recommendation for this program under current statute. The Governor has recommended \$37,500 in Fiscal Year 1989 for the Vocational Education Scholarship Program. Thirty thousand dollars has been placed in the State Department of Education's budget and \$7,500 in the Board of Regents' budget.

I am not here to argue funding. Rather, I am here to oppose the division of duties for this program between two agencies. The Vocational Education Scholarship Program should be administered by one agency. Although Senate Bill 636, Section 3.4(c) requires that the two agencies endeavor to perform duties jointly and in cooperation with each other, it is inevitable that the duties specified in Section 3 of this bill will need to be coordinated by one agency in order to be effective and to avoid confusing students and the general public involved. It appears that it is not necessary for a second agency to be involved simply for the purposes of paying students who attend institutions under their jurisdiction.

It is important to point out that the institution the student chooses to enroll in is irrelevant at the time of selection. It is only after being named as a Vocational Scholar, under current laws, that the information is requested regarding their enrollment status. The Governor's budget recommendation assumes that designated Vocational Scholars will attend institutions under the jurisdiction of the Board of Regents as well as the State Department of Education. While this may be true, it is possible that students scoring the highest on the competitive exam will not attend an institution under either agency. A selected Vocational Scholar, therefore, may be eligible for the program only if he attends a certain type of institution. This change would eliminate the students' freedom to select a vocational program at a particular institution and still qualify

for the award. Senate Bill 636 could also result in the discrimination of some students taking the exam. If it is necessary for the Board of Regents to award scholarships to students attending Kansas Technical Institute or the Technical School at Pittsburg State University, it may be that students with the highest test scores do not plan to attend Regents institutions. Will the Board continue to move down the ranking until such a student is found? If so, some students could possibly be overlooked in order for the Board of Regents or State Department of Education to be able to award all funds to eligible students.

The Board of Regents does not support Senate Bill 636 and suggests that the Vocational Education Scholarship Program would be operated more effectively by one agency, rather than two, and perhaps best by the agency with the greatest financial responsibility.



# Kansas State Board of Education

Kansas State Education Building

120 East 10th Street Topeka, Kansas 66612-1103

Ivildred McMillon  
District 1

Connie Hubbell  
District 4

Bill Musick  
District 6

Evelyn Whitcomb  
District 8

Kathleen White  
District 2

Sheila Frahm  
District 5

Richard M. Robl  
District 7

Robert J. Clemons  
District 9

Paul D. Adams  
District 3

Marion (Mick) Stevens  
District 10

February 24, 1988

TO: Senate Education Committee

FROM: State Board of Education

SUBJECT: 1988 Senate Bill 636

My name is Connie Hubbell, Legislative Chairman of the State Board of Education. I appreciate the opportunity to appear before this Committee on behalf of the State Board.

Senate Bill 636 splits the administration of the vocational education scholarship program between the State Board of Education and the State Board of Regents.

The State Board of Education supports the administration of the vocational education scholarship program in one agency. We believe problems could arise concerning appropriations, test scores, and scholarship recipients if the administration was split between two state agencies.

For example, the students eligible for scholarships may vary depending on the institution attended. A student may receive a scholarship under the State Board of Regents but be ineligible with the same test score to attend a State Board of Education vocational program. This would create confusion.

The State Board of Education recommends Senate Bill 636 be administered by one state agency.

Attachment 9, 2/24/88