

Approved February 14, 1989  
Date

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 Tuesday, January 31, 1989 in room 123-S of the Capitol.

All members were present except:

Senator Jack Steineger, 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:

SB 53 - Kansas commission for the deaf and hearing impaired,  
affecting composition thereof (Education)

Proponents:

Ms. Mildred McMillon, member, State Board of Education  
Mr. Gabriel R. Faimon, Commissioner of Vocational Rehabilitation,  
Social and Rehabilitation Services  
Mr. David Rosenthal, Director of Kansas Commission for the Deaf  
and Hearing Impaired.

SB 64 - Concerning homeless children, relating to residence for  
purposes of school attendance (Education)

Proponents:

Ms. Kathleen White, member, State Board of Education  
Ms. Pat Baker, Associate Director and Legal Counsel, Kansas  
Association of School Boards  
Mr. Craig Grant, Director of Political Action, Kansas-  
National Education Association

After Chairman Joseph C. Harder called the meeting to order, a motion was made by Senator Allen and seconded by Senator Walker to approve minutes of the meeting of January 25. The motion carried.

The Chairman recognized Senator David Kerr, Chairman of the Senate Committee on Economic Development. Senator Kerr announced that Ms. Shirley McCune, Mid-continent Regional Educational Laboratory, would be giving a presentation on education and economic development in room 313-S beginning at 3:30 p.m. this afternoon, and he invited the Education Committee to attend.

SB - 53 - The Chairman recognized the first proponent of SB 53, Ms. Mildred McMillon, a member of the State Board of Education. She explained that 500 students in public school programs for the deaf and hearing impaired are not currently represented on the Kansas Commission for the Deaf and Hearing Impaired. She stated that the State Board of Education is the governing body for the Kansas State School for the Deaf. (Attachment 1)

Mr. Gabriel R. Faimon, Commissioner of Vocational Education for SRS, stated that the purpose of SB 53 is to reinstate representation of the State Board of Education as an ex-officio member of the Kansas Commission for the Deaf and Hearing Impaired. Representation of the Board had been deleted in legislation passed in 1988, he explained, and the Commission has since voted to recommend reconsideration of this deletion. (Attachment 2)

Participation of the Department of Education on the Commission will be beneficial, as it will increase the Commission's perspective on special education issues, stated Mr. David S. Rosenthal, Director of the Kansas Commission for the Deaf and Hearing Impaired. (Attachment 3)

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION,  
room 123-S, Statehouse, at 1:30 ~~xxx~~ p.m. on Tuesday, January 31, 1989

Following testimony by Mr. Rosenthal and hearing no further requests, the Chairman announced that the hearing on SB 53 was concluded and that the bill would be taken under advisement.

SB - 64 - State Board of Education member Ms. Kathleen White explained that SB 64 is requested by the State Board of Education in order to update the Kansas residency law to comply with the Stewart B. McKinney Homeless Assistance Act. (Attachment 4)

Senate Bill 64 will allow school districts to address the difficult situation presented by young people who are not living in a stable home environment, stated Ms. Pat Baker of the Kansas Association of School Boards in her testimony found in Attachment 5.

Kansas-National Education Association representative Mr. Craig Grant stated that we should not deny a "homeless child" access to our schools any more than we should deny access to a child who has a handicap. (Attachment 6)

Following testimony in support of SB 64, Ms. Avis Swartzman, revisor of statutes, suggested that the Committee amend SB 64 by inserting the words "adoptive parents" following "natural parents" in line 35. Senator Karr moved that the Committee amend the bill as suggested by the revisor. Senator Parrish seconded the motion, and the amendment was adopted.

Senator Allen moved that SB 64, as amended, be recommended favorably for passage. Senator Langworthy seconded the motion, and the motion carried.

Senator Frahm moved that SB 53 be recommended favorably for passage. Senator Walker seconded the motion, and the motion carried.

During discussion of SB 13, which relates to the educational excellence grant program, the Chairman explained that the Legislative Educational Planning Committee felt the bill should be broad in scope so as to allow school districts to be flexible in their programs. Senator Montgomery moved and Senator Langworthy seconded the motion to recommend SB 13 favorably for passage. The motion carried.

The Chairman adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 123-S DATE: Tuesday, January 31, 1989

GUEST LIST

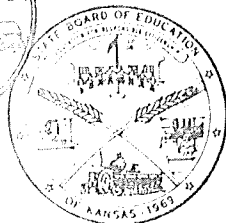
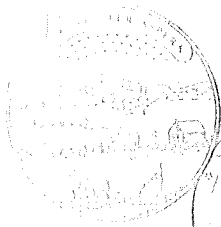
| <u>NAME</u>                      | <u>ADDRESS</u>                         | <u>ORGANIZATION</u>  |
|----------------------------------|--|--|
| <i>Ann Ballins</i>               |  | <i>SRS</i>   |
| Craig Grant                      | Topeka                                 | K-NEA  |
| Ken Rogge                        | Topeka                                 | SOE  |
| Bill M...<br>Chloe Bell          | Mpls -<br>120 E. 10th St, Topeka       | SE B2 E 1<br>State Dept of Educ.                                     |
| Pat Baker                        | Topeka                                 | KASB   |
| Scott Koch                       | Topeka                                 | KEDHS  |
| David Rosenthal                  | TOPEKA                                 | KEDHS  |
| Gabriel R Farmin                 | Topeka                                 | SRS/Rehab Svcs   |
| Russell Oliver                   | St. Louis                              | Visitor  |
| <i>Mary Cle...<br/>Sue Brown</i> | <i>TOPEKA</i><br>Topeka                | <i>26. of Women Voters</i><br>Visitor                                |
| Pat Glyzik                       | Topeka                                 | Citizen  |
| Patricia J...<br>Greg Keener     | Topeka<br>Topeka                       | WAW<br>Citizen   |
| Chris Graves                     | Topeka                                 | ASK  |
| Elvin Jones                      | R. 5 Box 197<br>Abilene, KS, 67410     | <sup>443</sup> USD# (6th Grade Elementary Teacher)<br>(Using portion |
| Linda Jones                      | R. 5 Box 197<br>Abilene, KS 67410      | Dickinson County<br>Register of Deeds (wife of Elvin)                |
| <i>Pat...<br/>Bob Shambaugh</i>  | <i>Topeka</i><br>BX 175B<br>Winchester | DoB<br>USD 339 - Jeff B. North                                       |
| <i>Jerry H. Fugate</i>           | <i>Valley Falls</i>                    | USD 338  |
| <i>Jack Shavelle</i>             | <i>Perry KS</i>                        | A. C. C. H   |
| <i>John...<br/>John Proszko</i>  | <i>Wichita</i><br>Topeka               | USD 259<br>KASB  |



# Kansas State Board of Education

Kansas State Education Building

120 East 10th Street Topeka, Kansas 66612-1103



Mildred McMillon  
District 1

Connie Hubbell  
District 4

Bill Musick  
District 6

Evelyn Whitcomb  
District 8

Kathleen White  
District 2

I. B. "Sonny" Rundell  
District 5

Richard M. Robl  
District 7

Timothy R. Emert  
District 9

Paul D. Adams  
District 3

Richard J. Peckham  
District 10

January 31, 1989

TO: Senate Education Committee  
FROM: State Board of Education  
SUBJECT: 1989 Senate Bill 53

My name is Mildred McMillon, State Board of Education Member from Tonganoxie. It is a pleasure for me to appear before this Committee on behalf of the State Board.

Senate Bill 53 adds a member of the State Board of Education as an ex officio member of the Kansas Commission for the Deaf and Hearing Impaired. There are approximately 500 students in public school programs for the deaf and hearing impaired which are not currently represented on this Commission.

In addition, the State Board of Education is the governing body for the Kansas State School for the Deaf.

Therefore, we believe that a member of the State Board should serve as an ex officio member of the Kansas Commission for the Deaf and Hearing Impaired.

We recommend that Senate Bill 53 be reported favorably for passage.

Education  
1/31/89  
Attachment 1

Department of Social and Rehabilitation Services

Winston Barton - Secretary

Statement Regarding: Senate Bill 53

Title: An Act concerning the Kansas commission for the deaf and hearing impaired; affecting the composition of the membership thereof; amending K.S.A. 1988 Supp. 75-5392 and repealing the existing section.

Purpose: The purpose of the bill is to reinstate representation of the State Board of Education as an ex officio member of the Kansas Commission for the Deaf and Hearing Impaired.

Background: The Kansas Commission for the Deaf and Hearing Impaired is administratively assigned to Rehabilitation Services for budgetary purposes.

To allow the Commission to have broader representation by persons who are deaf or hearing impaired, legislation was enacted in 1988 which deleted three ex officio positions and added three appointive positions. Representation by the State Board of Education was one of the three ex officio positions deleted from the membership. During its meeting of August 5, 1988, the Commission voted to recommend reconsideration of the decision to delete representation of the State Board of Education. In a letter to the Commissioner of Rehabilitation Services, dated November 7, 1988, the State Board of Education stated agreement with the recommendation to reinstate its membership.

Effect of Passage: Representation of State Board of Education will strengthen the capability of the Commission to address special education issues related to deafness or hearing impairment. The bill will increase membership of the Commission for the Deaf and Hearing Impaired from sixteen (16) members to seventeen (17), increasing the number of ex officio members from four (4) to five (5). The increase in the number of ex officio members will not impact the Commission's budget, for the travel and subsistence expenses or allowances for attendance of ex officio members at Commission meetings are the responsibility of the respective departments of such members.

Recommendation: The Department of Social and Rehabilitation Services recommends adoption of Senate Bill No. 53.

For more information contact:  
Commissioner Gabriel R. Faimon  
Rehabilitation Services  
296-3911

Education  
1/31/89  
Attachment 2

Department of Social and Rehabilitation Services

Winston Barton - Secretary

Statement Regarding: Senate Bill 53

Title: An Act concerning the Kansas commission for the deaf and hearing impaired; affecting the composition of the membership thereof; amending K.S.A. 1988 Supp. 75-5392 and repealing the existing section.

Purpose: The purpose of the bill is to reinstate the Department of Education to the membership of the Kansas commission for the deaf and hearing impaired.

Background: During the 1988 legislative session, a bill was introduced by the Kansas Association of the Deaf seeking to increase representation of the deaf people to the Commission. The original bill sought to delete one or two membership positions and replace them with hearing impaired persons. This bill passed the House of Representatives, and was amended in the Senate Governmental Organization committee to include more hearing impaired representation by deleting three ex-officio positions, and adding three appointive positions. The Department of Education was one of the three state agencies deleted from membership.

Effect of Passage: This bill will increase membership of the Kansas commission for the deaf and hearing impaired to seventeen (17) members from sixteen (16). There is no fiscal impact on the commission budget. Participation of the Department of Education will benefit the commission by increasing its perspective on special education issues.

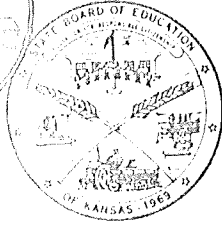
Recommendation: The Department of Social and Rehabilitation Services recommends adoption of Senate Bill No. 53.

For more information contact:  
David S. Rosenthal  
Executive Director, Kansas  
Commission for the Deaf and  
Hearing Impaired  
296-2874

# Kansas State Board of Education

Kansas State Education Building

120 East 10th Street Topeka, Kansas 66612-1103



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District 10

January 31, 1989

TO: Senate Education Committee  
FROM: State Board of Education  
SUBJECT: 1989 Senate Bill 64

My name is Kathleen White, State Board of Education Member from Shawnee Mission. It is a pleasure for me to appear before this Committee on behalf of the State Board.

The State Board of Education supports the amendment of K.S.A. 72-1046a to clarify that students who are living in the district, including homeless youth, have access to a free, appropriate public education. The new Stewart B. McKinney Homeless Assistance Act (P.L. 100-77) requires that (1) each state educational agency shall assure that each child of a homeless individual and each homeless youth have access to a free, appropriate public education which would be provided to the children of a resident of a state and is consistent with the state school attendance laws; and (2) in any state that has a residency requirement as a component of its compulsory school attendance laws, the state will review and undertake steps to revise such laws to assure that children of homeless individuals and homeless youth are afforded a free, appropriate public education.

Senate Bill 64 is requested by the State Board of Education to update the residency law to comply with the Stewart B. McKinney Homeless Assistance Act.

We recommend that Senate Bill 64 be reported favorably for passage.

Education  
1/31/89  
Attachment 4





TESTIMONY ON SENATE BILL 64  
before the  
SENATE EDUCATION COMMITTEE

presented by

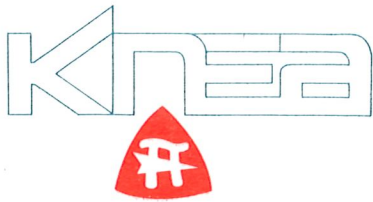
Patricia E. Baker  
Associate Executive Director/General Counsel  
Kansas Association of School Boards

January 31, 1989

Mr. Chairman, members of the Committee, I appear before you in support of Senate Bill 64. It is unfortunate that we are here to discuss the residency of homeless children, but necessary to recognize the needs of this segment of our youthful population.

While we believe that the current law would probably be interpreted to require education of homeless children, the inclusion of the definition in our residency statute will clarify for school districts the obligation for providing educational services. This will allow school districts to address the difficult situation presented by young people who are not living in a stable home environment.

We request your support and recommendation for the passage of Senate Bill 64.



Craig Grant Testimony Before The  
Senate Education Committee  
Tuesday, January 31, 1989

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas-NEA. I appreciate this opportunity to visit briefly with the committee in support of SB 64.

Kansas-NEA is in favor of SB 64. As many others have stated before, all children need to be educated to their fullest potential. The issue of not having a permanent address has not surfaced in the past as much as in recent months. Certainly we should not deny access to our schools to a "homeless child" any more than we should deny access to a child who has a handicap.

Kansas-NEA asks that you pass SB 64 favorably for passage. It is consistent with our philosophy of public education which is that we utilize the talents and resources of all our citizens. Thank you for listening to the concerns of our members.

Education  
1/31/89  
Attachment 6