

Approved 4-16-90
Date

MINUTES OF THE House COMMITTEE ON Appropriations

The meeting was called to order by Bill Buntin at
Chairperson

1:35 a.m./p.m. on March 21, 1990 in room 514-S of the Capitol.

All members were present except: All present

Committee staff present: Ellen Piekalkiewicz, Debra Duncan, Leah Robinson,
Carolyn Rampey, Kansas Legislative Research Department
Jim Wilson, Revisor of Statutes
Sharon Schwartz, Administrative Aide
Sue Krische, Committee Secretary

Conferees appearing before the committee:

Representative Barbara Allen
Marjorie Turner, Director of Job Preparation Programs/KanWork, SRS
Patricia Baker, Associate Executive Director, Kansas Association
of School Boards

Others attending: See attached list.

The Committee took up consideration of the Board of Agriculture
subcommittee report, which will complete work on SB 452.

BOARD OF AGRICULTURE

Representative Vancrum reviewed the subcommittee report for
FY90 and FY91 (Attachment 1). Representative Vancrum stated
the shrinkage rate in FY90 should remain at 3.9 percent because
there are a number of long-term employees at this agency and
there is very little turnover expected. Representative Vancrum
moved adoption of the subcommittee report for FY90 and FY91.
Representative Turnquist seconded. Motion carried.

Representative Chronister moved that SB 452, as amended, be
recommended favorably for passage. Representative Teagarden
seconded. Motion carried.

SB 448 - Appropriations for FY91, department of education.

DEPARTMENT OF EDUCATION

Representative Heinemann reviewed the subcommittee report for
FY90 and FY91 (Attachment 2). Representative Hamm submitted
a minority report. In response to a question, Representative
Heinemann explained that transportation is funded at 92.7 percent
and special education at 90.2 percent with the full expectation
that this will be reconsidered at the end of the session when
the decision on general aid to school districts is known. Several
members feel that funding for transportation and special education
should be put in now with the proviso that the Committee will
reconsider this spending at the end of the session. Representative
Hamm moved to delete items #4 and #5 from the majority subcommittee
report for FY91. Representative Hensley seconded. The effect
of this motion would be to take transportation and special education
funding back to the Senate recommendation of 96 percent and
95 percent respectively. On a show of hands, the motion failed.

Representative Hensley noted that the Senate funded the At-Risk
program at \$2,450,000 for FY91 and the House Subcommittee concurred.
He stated that this program was funded last year at \$2,225,000;
however, the Legislature has passed SB 458 this session which

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Appropriations

room 514-S, Statehouse, at 1:35 ~~x.m.~~/p.m. on March 21, 1990

greatly expands this program. Representative Chronister noted that this program was not intended to be funded at 100 percent; it is a competitive grant program and the hope is that some of the best proposals that come out of the program will be adopted by various school districts as part of their normal school program.

Representative Helgerson asked if the state has restrictions concerning community colleges going into neighboring counties and starting up programs. The State Board of Education has divided the service areas of community colleges, but Representative Chronister stated it is the education committees that deal with substantive law in this area. It was noted that no state money goes into instruction for satellite programs. Representative Helgerson expressed concern that oversight is lacking and that out-district tuition has not been phased out per discussion last session. It was noted the basic question is where control of the community colleges is placed, i.e., under the Dept. of Education or Board of Regents.

Representative Vancrum expressed the concern that a minimum number of students should be required per section of a class before an identical class is opened. He distributed handouts indicating this would be a cost-saving measure (Attachments 3 and 4). Representative Vancrum questioned funding a 5 percent increase for community college credit hour aid. He suggested this and other decisions in the report should be rolled back in the way transportation and special education were handled. Representative Vancrum moved that the increase in community college credit hour aid, item #9 in FY91, be reduced to 2.5 percent. Representative Helgerson seconded. Motion failed.

Representative Wisdom moved to increase funding for transportation to 95 percent and special education to 94 percent. Representative Francisco seconded. The Subcommittee feels if the funding level is left low as recommended, the opportunity to look at it again will be assured. Representative Wisdom withdrew his motion with the consent of the second, Representative Francisco.

Representative Heinemann moved to delete the request in item #7 of the FY91 report that the Joint Committee on State Building Construction review the capital outlay requests for vocational education, because he has determined that the request includes only purchase of equipment. Representative Kline seconded. Motion carried.

Representative Chronister moved adoption of the subcommittee report, as amended, for FY90 and FY91 on the Dept. of Education. Representative Teagarden seconded. Motion carried.

Representative Vancrum requested introduction of a bill for possible interim study to amend K.S.A. 71-201(b)12 to establish a minimum of 25 students per section in college and university classes. Representative Vancrum moved introduction of the bill. Representative Teagarden seconded. Motion carried.

Representative Chronister moved that SB 448, as amended, be recommended favorably for passage. Representative Heinemann seconded. Motion carried. Representatives Wisdom, Solbach and Helgerson are recorded as voting "no."

HB 2799 - Establishing the KanLearn program.

Representative Barbara Allen explained that HB 2799 proposes to establish the KanLearn program, which would be administered

CONTINUATION SHEET

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by SRS. The KanLearn program would require that teens, ages 13-19, who are parents or who reside with a parent, who receive cash assistance from AFDC, be enrolled in and attend school. Failure to attend school would result in the loss of cash assistance for the individual for up to three months (Attachment 5).

Representative Allen advises that the cost of implementing the program is estimated at \$947,000 in FY91, of which \$470,000 would be State General Fund, if a federal waiver were received. Representative Allen pointed out that SRS has indicated the bill should be amended to apply to ages 13-15 versus 13-19 as it is now written, because the 16-19-year-olds are provided for under the Federal Jobs Program.

Marjorie Turner, Director of Job Preparation Programs/KanWork, SRS, testified that SRS supports the concept of keeping AFDC children in school, but believes our efforts should be focused on keeping all youth in school, not just welfare youth (Attachment 6). Rather than the KanLearn bill, the agency would support an interim study on the reasons youths drop out of school and a review of models already available for combining efforts of education, human resources/JTPA, and social services to assist at-risk youth to complete their education.

Patricia Baker, Associate Executive Director, Kansas Association of School Boards, appeared to express the concerns of her membership about HB 2799 (Attachment 7). Her testimony explains that HB 2799 presents conflicts with current compulsory attendance laws. The Association of School Boards recommends enforcement of current compulsory attendance laws for students between 7 and 16 and Ms. Baker submitted with her testimony a proposed balloon to amend HB 2799 for students over 16 who are receiving AFDC.

The meeting was adjourned at 3:35 p.m.

SUBCOMMITTEE REPORT

Agency: Board of Agriculture

Bill No. 558

Bill Sec. 29

Analyst: Robinson

Analysis Pg. No. 343

Budget Pg. No. 58

<u>Expenditure Summary</u>	<u>Agency Req. FY 90</u>	<u>Governor's* Rec. FY 90</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 9,164,739	\$ 9,047,621	\$ --
Economic Development Initiatives Fund	180,000	180,000	--
Agency Fee Funds	2,737,806	2,726,982	--
Grain Commission Funds	1,411,056	1,410,032	-
Federal Meat and Poultry Fund	1,133,132	1,120,487	--
Other Federal Funds	442,495	491,149	--
Oil Overcharge Fund	40,000	40,000	--
Other Special Funds	464,029	464,029	--
TOTAL	<u><u>\$ 15,573,257</u></u>	<u><u>\$ 15,480,300</u></u>	<u><u>\$ 0</u></u>
 FTE Positions	 323.5	 323.5	 --

* Includes the addition of \$34,500 in federal funds pursuant to Governor's Budget Amendment No. 1.

Agency Request/Governor's Recommendation

The agency estimates FY 1990 operating expenditures of \$15,573,257, a reduction of \$293,504 below the amount approved by the 1989 Legislature. The revised estimate includes \$9,164,739 from the State General Fund and \$6,408,518 from special revenue funds. For FY 1990, the agency is requested supplemental funding in the amount of \$79,970 from the State General Fund in the area of salaries and wages, necessitated by legislative changes in the area of longevity and other state pay plan adjustments.

The Governor recommends \$15,445,800 for operating expenditures in FY 1990, a reduction of \$127,457 from the agency's estimate. Pursuant to Governor's Budget Amendment No. 1, the amount is increased \$34,500 to allow for acceptance and expenditure of a grant entitled "Agricultural Chemical Management Fund -- Federal."

Senate Subcommittee Recommendations

The Senate Subcommittee concurs with the Governor's recommendations with the following adjustment:

1. The Subcommittee concurs with Governor's Budget Amendment No. 1 which adds \$34,500 in federal funds for FY 1990. The Governor, through an Executive Directive, approved the acceptance and expenditure of a federal grant, entitled "Agricultural Chemical Management Program Fund -- Federal." This fund was not included in the Governor's budget recommendations.

*HA
3-21-90
Attachment 1*

Senate Committee Recommendation

The Senate Committee concurs with the Subcommittee recommendation.

Senate Committee of the Whole Recommendation

The Senate Committee of the Whole concurs with the Committee recommendation.

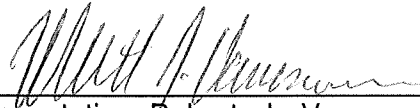
<u>Expenditure Summary</u>	<u>Senate Adj. FY 90</u>	<u>Senate Rec. FY 90</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ --	\$ 9,047,621	\$ (111,200)
Economic Development Initiatives Fund	--	180,000	--
Agency Fee Funds	--	2,726,982	--
Grain Commission Funds	--	1,410,032	--
Federal Meat and Poultry Fund	--	1,120,487	--
Other Federal Funds	--	491,149	--
Oil Overcharge Fund	--	40,000	--
Other Special Funds	--	464,029	--
TOTAL	<u>\$ --</u>	<u>\$ 15,480,300</u>	<u>\$ (111,200)</u>
FTE Positions	--	323.5	--

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendations of the Senate with the following adjustments:

1. Reduce salaries and wages \$57,000 by increasing the shrinkage rate recommended by the Governor from 3.4 percent to 3.9 percent.
2. Reduce other operating expenditures by \$54,200. The Subcommittee, after reviewing year to date expenditures, notes that other operating expenditures, particularly in the areas of utilities, commodities, and capital outlay are substantially below the expected level for this point in the fiscal year.
3. The Subcommittee notes that the \$40,000 in oil overcharge money, to be used for the biological control of musk thistle, has not yet been expended. The Subcommittee is concerned that these funds be expended for their intended purpose.

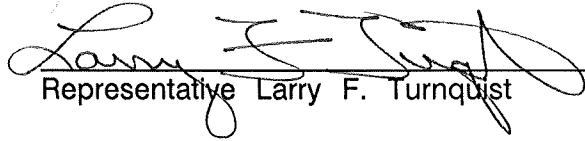
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Representative Robert J. Vancrum
Subcommittee Chairperson



Representative John M. Solbach, III



Representative Larry F. Turnquist

SUBCOMMITTEE REPORT

Agency: Board of Agriculture

Bill No. 452

Bill Sec. 2

Analyst: Robinson

Analysis Pg. No. 343

Budget Pg. No. 58

<u>Expenditure Summary</u>	<u>Agency Req. FY 91</u>	<u>Governor's* Rec. FY 91</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 11,388,086	\$ 9,439,214	\$ 22,677
Economic Development Initiatives Fund	205,506	180,006	--
Agency Fee Funds	3,154,593	2,877,689	(165,550)
Grain Commission Funds	1,791,136	1,794,014	--
Federal Meat and Poultry Fund	1,250,582	1,233,490	--
Other Federal Funds	565,359	553,859	--
Oil Overcharge Fund	40,000	40,000	--
Other Special Funds	465,452	427,241	--
TOTAL	<u>\$ 18,860,714</u>	<u>\$ 16,545,513</u>	<u>\$ (142,873)</u>

FTE Positions

338.5

326.5

--

* Includes adjustments from Governor's Budget Amendment No. 1.

Agency Request/Governor's Recommendation

The agency requests \$18,860,714 for operating expenditures in FY 1991, an increase of \$3,287,457 above the revised FY 1990 estimate. Of the increase, \$1,027,077 is for salaries and wages, \$1,795,160 is for contractual services, \$25,055 is for commodities, and \$440,165 is for capital outlay. The request includes \$11,388,086 from the State General Fund, an increase of \$2,223,347 above the revised FY 1990 estimate. The agency requests a total of 338.5 FTE positions, an increase of 15 FTE above FY 1990. The request includes \$49,933 to transfer the head house scale inspection program from the Grain Inspection Department to the Board of Agriculture. Of the \$49,933, \$12,611 would be financed from the State General Fund and the remainder from the Weights and Measures Fee Fund.

The Governor recommends FY 1991 operating expenditures of \$16,517,013, a reduction of \$2,343,701 from the agency request. The recommendation includes \$9,445,214 from the State General Fund (a reduction of \$1,942,872) and \$7,071,799 from special revenue funds (a reduction of \$400,829). The Governor concurs with the request to transfer the head house scale inspection program and recommends funding of \$49,857 for the program, all from the Weights and Measures Fee Fund. The recommendation also includes a 4 percent salary increase, and reductions of \$1,132,753 in contractual services, \$27,865 in commodities, and \$535,539 in capital outlay. The Governor recommends 2 new FTE positions, in addition to the 1 FTE transferred from the Grain Inspection Department. Pursuant to Governor's Budget Amendment No. 1, the recommended expenditure from the State General Fund has been reduced \$6,000 to reflect a reduction in agencywide office rent. Expenditures from federal funds have been

increased \$34,500 to reflect a new federal fund entitled "Agricultural Chemical Management Fund -- Federal."

Senate Subcommittee Recommendations

The Senate Subcommittee concurs with the Governor's recommendation with the following adjustments:

1. The Subcommittee recommends restoring a total of \$45,354 to the Farmers' Assistance, Counseling, and Training Service (FACTS) program in FY 1991. Of the total \$22,677 would come from the State General Fund, and \$22,677 would come from the FACTS Gifts and Contributions Fund. The Subcommittee notes that this restoration would result in total FY 1991 funding of \$890,548 for the FACTS program, a reduction of \$6,373 from the current year recommendation of \$896,921. Of the total, \$17,517 would be restored to the contractual legal services component of FACTS, and the remaining \$27,837 would be restored to the Farmer's Home Administration (FmHA) mediation services component of FACTS.
2. The Subcommittee concurs with Governor's Budget Amendment No. 1 which reduces agencywide office rent by \$6,000. The rent amount was inadvertently overstated in the Governor's budget recommendation.
3. The Subcommittee concurs with Governor's Budget Amendment No. 1 which adds \$34,500 in federal funds for FY 1991. The Governor, through an Executive Directive, approved the acceptance and expenditure of a federal grant entitled "Agricultural Chemical Management Fund -- Federal." This fund was not included in the Governor's budget recommendations.
4. Delete \$188,227 in State Water Plan funds for implementation of the Board of Agriculture's portion of the Geographic Information System (GIS) to facilitate review of the GIS by the full Committee.

Senate Committee Recommendations

The Senate Committee concurs with the Subcommittee recommendations.

Senate Committee of the Whole Recommendations

The Senate Committee of the Whole concurs with the Committee recommendations.


<u>Expenditure Summary</u>	<u>Senate Adj. FY 91</u>	<u>Senate Rec. FY 91</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 22,677	\$ 9,461,891	\$ (5,160)
Economic Development Initiatives Fund	--	180,000	
Agency Fee Funds	(165,550)	2,712,139	(5,160)
Grain Commission Funds	--	1,410,032	
Federal Meat and Poultry Fund	--	1,120,487	
Other Federal Funds	--	491,149	
Oil Overcharge Fund	--	40,000	
Other Special Funds	--	464,029	(90,000)
TOTAL	<u>\$ (142,873)</u>	<u>\$ 15,879,727</u>	<u>\$ (100,320)</u>
FTE Positions	--	326.5	(2.0)

House Subcommittee Recommendation


The House Subcommittee concurs with the recommendations of the Senate, with the following adjustments:

1. As a technical adjustment, delete \$10,320 in funding for the Farmers' Assistance, Counseling and Training Service (FACTS) program. Of this amount, \$5,160 would come from the State General Fund and \$5,160 would come from the FACTS Gifts and Contribution Fund, a federal matching fund. This would leave in place full restoration for the contractual legal services component of FACTS, consisting of \$17,517 from the State General Fund and \$17,517 from the matching federal funds, for a total restoration of \$35,034 for the program.
2. As a technical adjustment, delete 2.0 FTE positions associated with the Geographic Information System (GIS) initiative. The funding for these positions was deleted in the Senate but through an oversight, the positions were not deleted. Should funding for the GIS initiative ultimately be restored, these positions should also be restored.
3. Delete \$90,000 in oil overcharge funds recommended by the Governor. These funds are recommended to provide limited funding for grants to individuals, organizations and associations to demonstrate, in mainstream agriculture, the implementation of energy conserving techniques upon which research has been previously conducted. The Subcommittee was informed that this was not requested by the agency, and suggests that if the agency wishes funding, this can be readdressed in Omnibus.

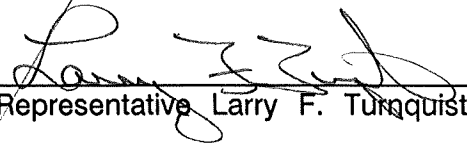
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Representative Robert J. Vancrum
Subcommittee Chairperson



Representative John Solbach, III



Representative Larry F. Turnquist

SUBCOMMITTEE REPORT

Agency: Department of Education

Bill No. 558

Bill Sec. 23

Analyst: Rampey

Analysis Pg. No. 277

Budget Pg. No. 174

<u>Expenditure Summary</u>	<u>Revised Agency Req. FY 90</u>	<u>Revised Governor's Rec. FY 90</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 12,830,771	\$ 12,133,043	\$ 91,469
Aid to Local Units	1,039,966,805	1,042,560,633	463,359
Other Assistance	<u>20,814,256</u>	<u>20,814,256</u>	--
TOTAL	<u>\$1,073,611,832</u>	<u>\$1,075,507,932</u>	<u>\$ 554,828</u>
State General Fund:			
State Operations	\$ 5,191,017	\$ 4,946,881	\$ 47,000
Aid to Local Units	941,473,832	944,067,660	463,359
Other Assistance	<u>169,256</u>	<u>169,256</u>	--
TOTAL	<u>\$ 946,834,105</u>	<u>\$ 949,183,797</u>	<u>\$ 510,359</u>
FTE Positions	190.0	190.0	--

Agency Request/Governor's Recommendation

For FY 1990, the Department of Education is requesting supplemental appropriations from the State General Fund of \$31,485 for retirement entitlements, \$1,476,503 for community college credit hour aid, and \$357,025 for community college out-district state aid. (Requests for supplemental appropriations reflect revisions made since the original budget was submitted.)

The Governor approves supplemental appropriations of \$1,714,097 for community college credit hour aid and \$239,251 for out-district state aid. (The Governor's recommendations are based on the State Department's community college estimate as originally submitted.) In addition, the Governor submits a Governor's Budget Amendment to add \$4,232,482 to his recommendation of \$109,655,541 for special education. The total (\$113,888,023) is intended to fund 95 percent of special education excess costs, based on revised estimates.

Senate Subcommittee Recommendations

The Senate Subcommittee concurs with the Governor, with the following exceptions:

1. Add \$47,000 from the State General Fund and \$44,469 from federal and other funds for salaries and wages. The effect of the Subcommittee's action would be to reduce the shrinkage rate of 5.0 percent recommended by the Governor to 3.8 percent for salaries funded from the State General Fund.

*HA
3-21-90
Attachment 2*

2. Add \$826,909 for school district transportation, for a total of \$44,568,291. That amount is \$68,165 more than the 1989 Legislature appropriated and is intended to fund 96 percent of the transportation formula, as intended by the Legislature. (The February payment to school districts indicates that \$68,165 is needed to reach the 96 percent level.)
3. Delete \$243,460 from the Governor's revised recommendation for special education, for a total of \$113,644,563. That amount would fund 95 percent of special education excess costs, as intended by the 1989 Legislature. The amount is an increase of \$2,989,022 over the amount the 1989 Legislature appropriated and is based on a revised estimate of special education excess costs.
4. Delete \$237,594 for community college credit hour aid, for a total of \$29,963,151, as requested by the State Board. The total includes a supplemental appropriation of \$1,476,503. (The Governor's recommendation was based on an earlier estimate that was later revised downward.)
5. Add \$117,504 for community college out-district state aid, for a total of \$8,905,537, as requested of the State Board. The amount includes a supplemental appropriation of \$357,025.

Senate Committee Recommendations

The Senate Committee concurs with the recommendations of the Subcommittee.

Senate Committee of the Whole Recommendations

The Senate Committee of the Whole concurs with the recommendations of the Senate Committee.

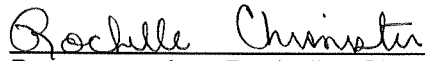
<u>Expenditure Summary</u>	<u>Senate Adj. FY 90</u>	<u>Senate Rec. FY 90</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 91,469	\$ 12,224,512	\$ (47,000)
Aid to Local Units	463,359	1,043,023,992	--
Other Assistance	--	<u>20,814,256</u>	--
Total	<u>\$ 554,828</u>	<u>\$1,076,062,760</u>	<u>\$ (47,000)</u>
State General Fund:			
State Operations	\$ 47,000	\$ 4,993,881	\$ (47,000)
Aid to Local Units	463,359	944,531,019	--
Other Assistance	--	<u>169,256</u>	--
Total	<u>\$ 510,359</u>	<u>\$ 949,694,156</u>	<u>\$ (47,000)</u>
FTE Positions	--	190.0	--

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House Subcommittee Recommendations

The House Subcommittee concurs with the recommendations of the Senate, with the following exception:


1. Delete \$47,000 from the State General Fund for salaries and wages. The effect of the Subcommittee's recommendation would be to set the rate for shrinkage for salaries paid from the State General Fund at 5 percent.



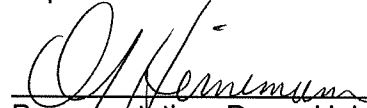
Representative Rochelle Chronister
Subcommittee Chairperson



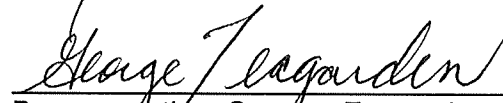
Representative Bill Bunten



Representative Lee Hamm



Representative Dave Heinemann



Representative George Teagarden

SUBCOMMITTEE REPORT

Agency: Department of Education

Bill No. 448

Bill Sec. 2

Analyst: Rampey

Analysis Pg. No. 277

Budget Pg. No. 174

<u>Expenditure Summary</u>	<u>Revised Agency Req. FY 91</u>	<u>Revised Governor's Rec. FY 91</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 13,029,734	\$ 12,512,285	\$ 461,348
Aid to Local Units	1,146,781,374	1,073,829,151	6,825,247
Other Assistance	<u>25,370,220</u>	<u>25,370,220</u>	<u>(5,000)</u>
TOTAL	<u>\$1,185,181,328</u>	<u>\$1,111,711,656</u>	<u>\$ 7,281,595</u>
State General Fund:			
State Operations	\$ 5,635,538	\$ 5,243,181	\$ 160,011
Aid to Local Units	1,044,538,374	971,586,151	4,976,308
Other Assistance	<u>172,220</u>	<u>172,220</u>	<u>(5,000)</u>
TOTAL	<u>\$1,050,346,132</u>	<u>\$ 977,001,552</u>	<u>\$ 5,131,319</u>
FTE Positions	194.0	190.0	1.0

Agency Request/Governor's Recommendation

The State Department requests 4.0 FTE additional positions and asks for \$210,000 from the State General Fund to begin a math and reading assessment program. Total general state aid to school districts of \$589.1 million is requested, which would be an increase of \$50.0 million over the current year funding of \$539.1 million. (The current year amount includes hold harmless and additional state aid.) Funding of \$2.0 million is requested for a new program, Parents as Teachers. The income tax rebate also is shown as part of this budget, instead of being budgeted in the Department of Revenue.

The Governor approves funding for the math assessment program as requested, recommends \$1.0 million for the new Parents as Teachers program, recommends \$543,527,252 in general aid to schools (an increase of \$4.4 million over FY 1990, including hold harmless and additional state aid), and recommends \$50,000 for another new program, the At-Risk Academy. The Governor approves no new positions.

The Governor submits a Budget Amendment that would add \$18,035 from federal funds for salaries and wages to correct a technical oversight.

Senate Subcommittee Recommendations

The Senate Subcommittee concurs with the Governor, with the following exceptions:

Agency Operations

1. Separate the State General Fund appropriation to the State Department into an appropriation for salaries and wages and an appropriation for other operating expenditures.
2. Adopt the Governor's Budget Amendment to add \$18,035 from federal funds to salaries and wages to correct a technical oversight.
3. Add \$42,153 from the State General Fund and \$129,957 from federal and other funds for salaries and wages. The effect of this recommendation would be to approve the State Department's estimated turnover rate for 1.75 percent for those salaries not paid for from the State General Fund and to recommend a turnover rate of 3.8 percent from those salaries funded from the State General Fund. The rate of 3.8 is the same as the Subcommittee's recommended rate for State General Fund salaries in the current year and is a reduction from the Governor's rate of 5.0 percent.
4. Add \$8,821 from federal food assistance funds for salaries and wages of seasonal and temporary employees.
5. Add \$23,008 from the State General Fund and \$23,008 from federal vocational education funds for the salaries of 1.0 FTE new position (\$36,016) and seasonal and temporary employees (\$10,000). For a number of years the State Department has passed through state and federal vocational education money to universities to be used to coordinate vocational student organizations such as Future Homemakers of America, Inc. Until recently, part of the money has been for a contract with Emporia State University to pay the salary of a person who helps coordinate an organization related to home economics programs (Home Economics Related Occupations -- HERO). The position at Emporia State University is currently vacant and the State Department would like to make the position part of its regular staff so that it can play a more active role in overseeing the program. In recommending the new position in the State Department's operating budget, the Subcommittee is recommending a shift from what has historically been an expenditure for contractual services to an expenditure for salaries and wages. The Governor did not approve the addition of the new position nor did he provide for a continuation of the contract with Emporia State University.
6. Add \$3,350 from the State General Fund and \$139,551 from federal and other funds for other operating expenditures. In general, the Subcommittee's rationale is to restore cuts made by the Governor from non-State General Fund sources so that money that is available, primarily from federal funds, can be used to support agency activities when resources from the State General Fund are limited. In the one case in which money from the State General Fund is added, it is to satisfy a federal requirement that vocational education funds be matched dollar for dollar.

The additions are as follows:

- a. communications -- \$3,368 from federal funds;
 - b. printing and advertising -- \$1,600 from the Certificate Fee Fund and \$467 from the State Safety Fund;
 - c. travel and subsistence -- \$3,350 from the State General Fund and \$6,661 from federal funds;
 - d. fees for professional services -- \$86,309 from federal funds;
 - e. fees for other services -- \$1,000 from GED fees, \$2,000 from the Proprietary School Fee Fund, and \$1,802 from federal funds;
 - f. other contractual services -- \$4,000 from federal funds;
 - g. office supplies -- \$1,540 from federal funds; and
 - h. professional supplies -- \$20,804 from private gifts and \$10,000 from federal funds.
7. Add \$41,500 from the State General Fund for Kansas' membership to the Education Commission of the States. Kansas statutorily adopted the Compact on Education in 1972 and has enjoyed the benefits of membership since that time. The Subcommittee believes the state's participation should be continued.
 8. Make a technical change to fund the At-Risk Academy (\$50,000 from the State General Fund) as part of the State Department's operating budget, not as aid to local units.
 9. Increase expenditures for state operations portion of the federal drug abuse program from \$204,963 to \$306,005, an increase of \$101,042 from federal funds.

Aid and Other Assistance

1. Delete \$5,586,565 in general aid to schools, for a total of \$537,940,687. This amount is equal to the FY 1990 appropriation for general state aid (\$533,527,252) and the FY 1990 hold harmless aid (\$4,413,435) combined. The Subcommittee expects this figure to change. General aid to schools is related to too many other issues that have not yet been decided, such as the budget per pupil limitations. As these issues are resolved, the Legislature will be in a better position to determine what the appropriation for general aid will be. A major concern to the Subcommittee is the dramatic changes in the relative importance of the components of district wealth -- property valuation and taxable income. This is because the 1989 Legislature, in light of reappraisal and classification of property, changed the basis of computing the property valuation component while recent changes in

Kansas income tax laws have caused an increase in taxable income, although tax liability was reduced overall. In addition, unique circumstances in several areas, such as the Buhler and Hutchinson school districts, will cause unanticipated and unfair hardships to residents of those districts. For these reasons, the Subcommittee believes the school finance formula should be reviewed by the Legislature. Until these situations are addressed, the final decision on general aid to school districts cannot be made.

2. Add \$25,626 for the Fort Leavenworth School District, for a total of \$1,500,776. This is the amount it would take to comply with federal requirements for the district's continued eligibility for P.L. 874 federal funds, i.e., state per pupil aid must be equivalent to 65 percent of statewide per pupil aid. (This amount is based on the Subcommittee's recommendation for general aid to school districts. The appropriation to the Fort Leavenworth school district would have to be adjusted to conform to the Legislature's final recommendation concerning school district general aid.)
3. Add \$1,615,135 for school district transportation, for a total of \$47,615,135. This amount is intended to fund the transportation formula at the 96 percent level, the same level as for FY 1990.
4. Add \$5,935,553 for special education, for a total of \$121,078,553. This amount is intended to fund 95 percent of special education excess costs, the same percentage as the current year. (This amount would have to be adjusted to conform to the Legislature's final recommendation concerning school district general aid.)
5. Add \$450,000 for in-service education, for a total of \$1.4 million. The amount is an increase of \$481,250 over the current year (\$918,750) and would fund approximately 44 percent of the cost of programs involving 235 districts.
6. Delete \$500,000 from the Human Sexuality -- AIDS program, for a total of \$1.5 million. This is the amount available in the current year and it is the amount requested by the State Board of Education for FY 1991.
7. Add \$246,373 for aid to area vocational schools, for a total of \$8,146,373, as requested by the State Board. This amount is an increase of 5 percent over the current year, which was the percentage increase the Legislature approved for FY 1990 over FY 1989.
8. Add \$750,000 for vocational education capital outlay aid, for a total of \$1.0 million. That is the same amount the Legislature appropriated for FY 1990. A proviso to the appropriation stipulates that the money is to be used for the repair of buildings and the purchase of instructional equipment. The Subcommittee recommends that the proviso for FY 1991 be amended to require that requests for funds for building repairs be reviewed by the Joint Committee on State Building Construction.
9. Add \$1,372,923 for community college credit hour aid, for a total of \$31,573,668, as requested by the State Board. This amount would

fund an estimated 5 percent increase in eligible credit hours over FY 1990.

10. Add \$717,263 for community college out-district state aid, for a total of \$9,505,296. This amount would fund an estimated 5 percent increase in eligible hours.
11. Delete \$157,302 in credit hour state aid to Washburn University, for a total of \$3,769,095, the same level as for FY 1990. In addition, add \$157,302 to the University's operating grant. Because the number of credit hours is not expected to grow above the current level, the \$157,302 could not be spent through the credit hour aid formula.
12. Delete \$31,963 in out-district state aid to Washburn University, for a total of \$737,213, the same level as in FY 1990. In addition, add that amount to the University's operating grant. The shift is made because the number of out-district hours is not expected to increase over the current year.
13. Add \$189,265 to the Washburn University Operating Grant, for a total of \$1,692,287. The effect of the Subcommittee's recommendation is to concur with the Governor's recommendation for the total amount of money to be appropriated to the University.
14. Delete \$5,000 for the Kansas Foundation for Agriculture, for a total of \$25,000. This is a reduction of \$5,000 from the FY 1990 level.
15. Remove the expenditure limitation on the flow-through portion of federal drug abuse funds and make the fund a "no limit" fund. this policy is consistent with all of the State Department's other federal funds.
16. Make a technical adjustment to the State Department's Proprietary School Fee Fund by changing the expenditure limitation from \$57,803 to \$58,803.
17. The Subcommittee was informed that the State Department of Education, with the assistance of the Division of Facilities Management in the Department of Administration, is exploring ways to create more usable space in its headquarters at 120 East 10th. An option that is being considered would be to ask the owners of the building to improve the facility and be paid for the improvements through increased rent to the State Department. (It is estimated that rent would increase from \$3.20 per square foot to \$5.95 per square foot.) The expenditure for rent is \$171,200 in FY 1990 and is expected go up to \$179,760 in FY 1991. The fiscal impact of the remodeling would not occur until FY 1992, when rent would go up approximately \$125,000. The Subcommittee encourages the State Department to explore this option and recommends that the agency continue to work with the owners of the building and the Division of Facilities Management to prepare a program statement for review by the Joint Committee on State Building Construction.

Senate Committee Recommendations

The Senate Committee concurs with the Subcommittee's recommendations, with the following exceptions:

1. On page 3, amend item 1 under aid and other assistance to add the Augusta school district to the list of districts that are experiencing particular hardship. The affected sentence would read: "In addition, unique circumstances in several areas, such as the Augusta, Buhler, and Hutchinson school districts, will cause unanticipated and unfair hardships to residents of those districts."
2. Add \$5,000 from the State General Fund for the Kansas Foundation for Agriculture. The effect of the Committee's recommendation would be to concur with the Governor and recommend \$30,000, the same level as the current year.

Senate Committee of the Whole Recommendations

The Senate Committee of the Whole concurs with the recommendations of the Senate Committee, with the following exception:

1. Amend S.B. 448 to strike the language "Parent as teachers" and replace with "Parent education program."

<u>Expenditure Summary</u>	<u>Senate Adj. FY 91</u>	<u>Senate Rec. FY 91</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 461,348	\$ 12,973,633	\$ (83,653)
Aid to Local Units	6,825,247	1,080,654,398	(8,776,314)
Other Assistance	(5,000)	25,365,220	--
Total	<u>\$ 7,281,595</u>	<u>\$ 1,118,993,251</u>	<u>\$ (8,859,967)</u>
State General Fund:			
State Operations	\$ 160,011	\$ 5,403,192	\$ (83,653)
Aid to Local Units	4,976,308	976,562,459	(8,776,314)
Other Assistance	(5,000)	167,220	--
Total	<u>\$ 5,131,319</u>	<u>\$ 982,132,871</u>	<u>\$ (8,859,967)</u>
FTE Positions	1.0	191.0	--

House Subcommittee Recommendations

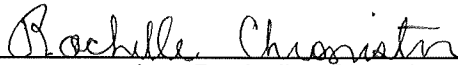
The House Subcommittee concurs with the recommendations of the Senate, with the following exceptions:

1. Delete \$42,153 from the State General Fund for salaries and wages. The effect of the Subcommittee's recommendation would be to set the

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rate for shrinkage for salaries paid from the State General Fund at 5 percent.

2. Delete \$41,500 from the State General Fund for Kansas' membership in the Education Commission of the States and add that amount to the budget of the Interstate Cooperation Commission.
3. Delete \$25,626 for the Fort Leavenworth School District, for a total of \$1,475,150, as recommended by the Governor. It is the Subcommittee's intention that aid to the district be considered later in the Session when the issue of general aid to school districts is settled. At that point, the Legislature can consider adjusting aid to Fort Leavenworth to meet the federal requirement that state aid to the district be equivalent to 65 percent of the average per pupil aid statewide.
4. Delete \$1,615,135 from school district transportation, for a total of \$46.0 million, as recommended by the Governor. (According to the State Department of Education, this amount would fund the transportation formula at the 92.7 percent level.) It is the Subcommittee's expectation that the issue of school district transportation will be reconsidered at the end of the Session when it can be evaluated in the context of total expenditures recommended by the Legislature and the most recent information about state revenues.
5. Delete \$5,935,553 for special education, for a total of \$115,143,000, as recommended by the Governor. (According to the State Department of Education, this amount would fund 90.2 percent of special education excess costs, based on budget limitations of 101 to 102 percent.) The Subcommittee expects the issue of special education excess costs to be reconsidered at the end of the Session, partly because more information about total state revenues and expenditures will be available and also because the Legislature may wish to adjust the appropriation for special education to take into account its final recommendation concerning general aid to school districts.
6. Delete \$450,000 for inservice education, for a total of \$950,000, as recommended by the Governor. The amount is an increase of \$31,250 (3.4 percent) over the current year.
7. Delete \$750,000 for vocational education capital outlay aid, for a total of \$250,000, as recommended by the Governor. (The Subcommittee concurs with the Senate's recommendation that requests for funds for building repairs be reviewed by the Joint Committee on State Building Construction.)




Representative Rochelle Chronister
Subcommittee Chairperson

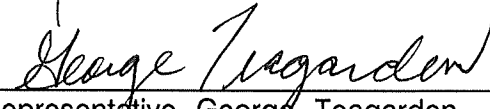


Representative Bill Bunten

Representative Lee Hamm



Representative Dave Heinemann



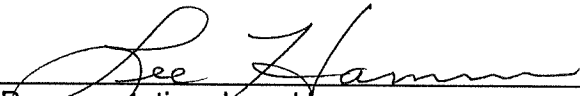
Representative George Teagarden

MINORITY REPORT

I wish to express my disagreement with the Subcommittee's recommendation for school district transportation and special education.

We have mandated these programs and we know that, when we do not adequately fund them, school districts have to rely even more on local taxes to cover their expenses. On one hand, we say we are concerned about the local property taxpayer and on the other hand we fail to provide the state support that is necessary to provide meaningful property tax relief.

My preference would have been to support the Senate's recommendation for transportation and special education and recommend that transportation be funded at the 96 percent level (\$47,615,135) and special education excess costs at the 95 percent level (\$121,078,553), which are the same levels as the current year.



Representative Lee Hamm

► 2) INCREASE FACULTY PRODUCTIVITY TO LOWER TAXES & INCREASE SALARIES

Establish a minimum of 25 students per section before a new section of the same daytime or night course may be opened for enrollment. The current productivity of Community College AND University faculty is too low. The Kansas Community College average is ONLY 14.5 FTE Students/Faculty with 14 students/class compared to 50 FTE for K-12 teachers and 25 students/class. The Regent's University Faculty also average only 14 FTE/Faculty with 18 students/class.

This amendment to KSA 71-201(b)12 will not eliminate any course needed for graduation. However, it will **LOWER INSTRUCTIONAL COSTS BY \$20-40 MILLION DOLLARS** and decrease the need to hire Adjunct faculty to teach duplicate sections of courses which have already been paid for by the taxpayers. This action will also allow some of the money saved by each College to be used to **increase the salaries of deserving faculty.**

(Sources: Kansas Board of Education, Board of Regents and Legislative Post Audit Reports)

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Attachment 3

THE F.T.E. FORMULA

A FAIR MEASURE OF FACULTY PRODUCTIVITY

- A) HOW THE FULL TIME EQUIVALENT FORMULA WORKS:
 - 1) 15 FACULTY CONTACT HRS/WK = 15 CREDIT HRS.
 - ▶ 2) SO, 15 STUDENTS IN CLASS 1 HR/WK = 1 F.T.E.

- B) HOW PRODUCTIVE ARE KANSAS K-12 TEACHERS?
 - 1) (25 STUDENTS/CLASS) X (6 CLASSES/DAY) X (5 DAYS/WEEK EACH CLASS) = 750 CREDIT HRS.
 - 2) (750 CRED. HRS./K-12 TEACHER) / 15 CRED. HRS. =
 - ▶ 50 FULL TIME EQUIVALENT STUDENTS/TEACHER

- C) BY COMPARISON, WHAT IS THE CURRENT PRODUCTIVITY OF KANSAS COMMUNITY COLLEGE AND UNIVERSITY FACULTY?
 - 1) ACCORDING TO THE 1988 SURVEY DONE BY THE KANSAS DEPARTMENT OF EDUCATION---EACH FACULTY IN THE 19 COMMUNITY COLLEGES
 - ▶ TEACHES ONLY 14.3 F.T.E. STUDENTS.

 - 2) LIKEWISE, THE STATE BOARD OF REGENTS CONFIRMED IN 1989 THAT UNIVERSITY FACULTY
 - ▶ IN KANSAS TEACH ONLY 13.8 F.T.E. STUDENTS AS WELL.

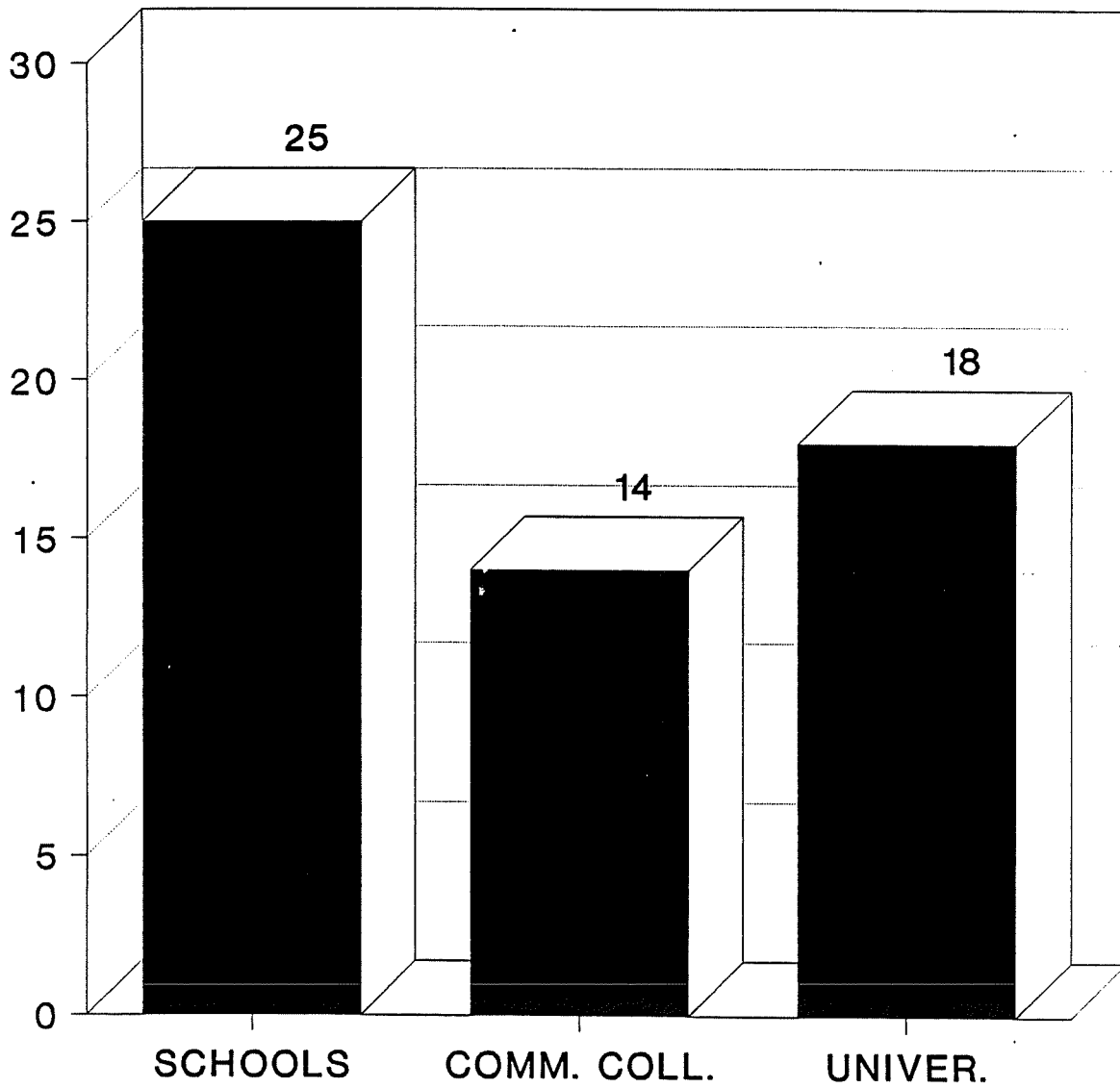
 - 3) THIS LOW REGENTS FACULTY PRODUCTIVITY WAS FIRST REPORTED BY A LEGISLATIVE POST AUDIT DONE IN 1985.

- ▶ • D) WITHOUT F.T.E. STANDARDS, KANSANS HAVE NO WAY TO MEASURE THE EFFECTIVENESS OF OUR MULTIBILLION DOLLAR INVESTMENT IN EDUCATION.

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Attachment 4

AVG. STUDENTS/CLASS

K-12 + COM. COLL. + UN.



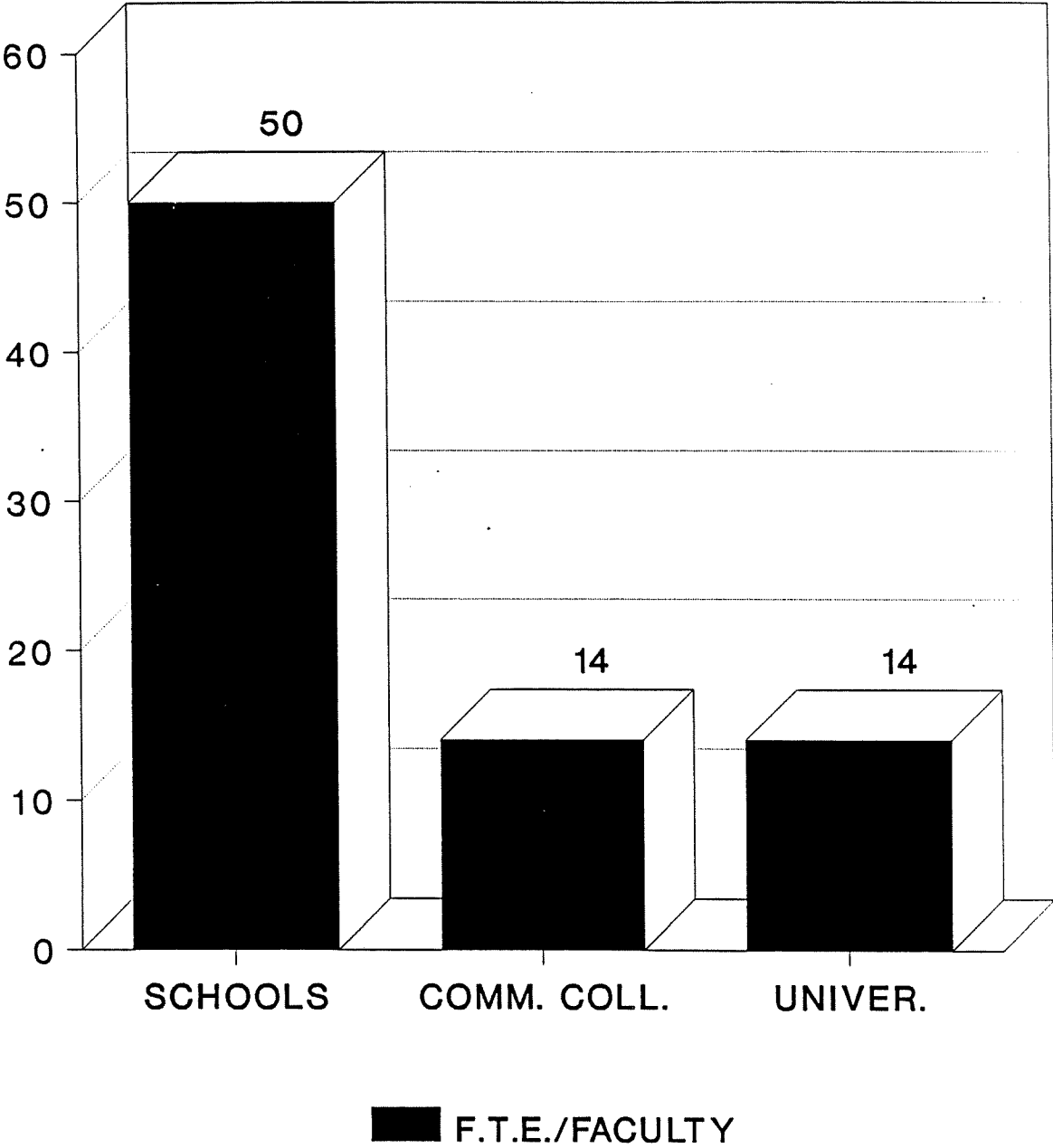
■ AVG. STUDENTS/CLASS

SOURCE: KANSAS DOE, REGENTS & LEG. AUDIT

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FACULTY PRODUCTIVITY

F.T.E. STUDENTS TAUGHT/FACULTY



SOURCE: KANSAS DOE, REGENTS & LEG. AUDIT

BARBARA P. ALLEN
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TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS

VICE CHAIRPERSON: INSURANCE
 MEMBER: TRANSPORTATION
 PENSIONS, INVESTMENTS AND BENEFITS
 RULES AND JOURNAL

March 21, 1990

Mr. Chairman, Members of the Committee:

H.B. 2799 deals with Welfare reform. The ultimate goal of this bill is to reduce the welfare caseload, by increasing the number of children who are provided for by their natural parents rather than by the state.

H.B. 2799 proposes to establish the KanLearn program, which would be administered by the Secretary of Social and Rehabilitation Services. The KanLearn program would require that teens, ages 13-19, who are parents or who reside with a parent, who receive cash assistance from Aid to Families with Dependent Children (AFDC), be enrolled in and attend school. Failure to attend school would result in the loss of cash assistance for the individual for up to three months.

A similar program was implemented in Wisconsin on September 1, 1988 as "Learnfare". At its inception, the Wisconsin program required 30,029 teens to attend school regularly. Wisconsin's Department of Health and Social Services' analysis of the first full year of the program shows that of the 7,501 teens who were actually sanctioned, 70% were sanctioned for 3 months or less before changing their school attendance habits to meet Learnfare requirements. Much of this success can be credited to Wisconsin's teen parent programs and alternative education programs, which Kansas could consider implementing as an element of KanLearn.

In order to implement the KanLearn program, a federal waiver in the JOBS (Job Opportunities and Basic Skills Training Program) and AFDC policy area would be required. A similar federal waiver was received by the state of Wisconsin, indicating the Federal government's recognition that the failure of teenage recipients of AFDC to complete high school is a significant contributing factor to their long-term dependency on welfare.

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 Attachment 5

H.B. 2799 provides that the KanLearn program would be operated in the counties where the KanWork program is in operation (11 counties in FY 1991). SRS estimates the cost of implementing the program to be \$1,487,168 in FY 1991, of which \$743,584 would be from the State General Fund, if a federal waiver were received. This estimate would provide funding for 12 additional case workers (\$347,273) who would each handle 75 cases, for a projected total caseload for the program in FY 1991 of 895 persons. This estimate also includes \$992,070 for child care and \$147,825 for transportation for nine months.

Testimony before

The House Appropriations Committee

Regarding

House Bill 2799

on

March 21, 1990

Marjorie Byington Turner
Director of Job Preparation Programs/KanWork

presented on behalf of:

Jan Allen, Commissioner
Adult Services
Department of Social and Rehabilitation Services

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Attachment 6

Department of Social and Rehabilitation Services

Winston Barton, Secretary

Statement Regarding: H.B. 2799

Title:

AN ACT establishing the KanLearn program; providing for administration thereof by the Secretary of Social and Rehabilitation Services; establishing eligibility standards for participation in such program.

Purpose:

House Bill 2799 proposes to establish the KanLearn program which would be administered by the Secretary of Social and Rehabilitation Services. The KanLearn program would require that individuals, 13 to 19 years of age, who receive cash assistance from Aid to Families with Dependent Children (AFDC) shall enroll in and attend school (unless exempt). Failure to attend school would result in the loss of cash assistance for the individual for up to three months.

Background:

The Family Support Act of 1988 already requires AFDC recipients age 16 through 19 who are not currently in school full time or have not completed at least a high school level education to participate in the Job Opportunities and Basic Skills Training (JOBS) Program. The focus of activities for these persons is initially upon completion of at least a high school level education. A sanction would be applied for failure to attend without good cause. Federal law mandates exemption of children under age 16 from JOBS and specifies other reasons for exemption.

Effect of Passage:

The effect of the enactment of such legislation as H.B. 2799 is unclear. Implementation of a similar program by the State of Wisconsin (Learnfare) yielded inconclusive results. A December, 1989 study of the program states "it is premature to make any statement about whether a sanction-enforced school attendance requirement leads teen parents to return to school."

In order to implement the KanLearn program, federal waivers in a number of JOBS and AFDC policy areas would be required. These include a) lowering the age for mandating education requirements; b) change of the sanction period which currently has no time limit for first time failure; and c) if KanLearn is to be operated only in KanWork counties, a waiver of "statewideness" would be required. Although Kansas could apply for waivers for the 13 to 16 year olds, it is not clear whether such a waiver would be approved.

The cost to implement the KanLearn program is a consideration that should not be overlooked. Additional staff would be needed in order to monitor the school attendance of the 13 to 16 year old AFDC individuals who are affected by the KanLearn program. In addition to the increase in staff, there are substantial costs related to the supportive services needs of transportation and child care.

Recommendations:

The agency supports the concept of keeping AFDC children, and all children, in school to complete their education and become productive citizens. We are well aware that children who are highschool drop outs are at greatest risk to become welfare recipients as adults. Programs to assist children to stay in school are preventive programs in terms of long range AFDC growth. However, such programs should be focussed on keeping all youth in school not just on welfare youth.

The KanLearn bill as proposed would be quality control error prone for Income Maintenance, require federal waivers which may or may not be approved and does not solve the problem of troubled youth who may drop out of school. Therefore, the agency cannot give unqualified support to the passage of the KanLearn bill.

The agency would support an interim study focused on the reasons youths drop out of school and reviewing models already available for combining the efforts of education, human resources/JTPA and social services to assist at risk youth to complete their education. Such a study would provide time to ascertain the scope of the problem, the type of supports and services already available and what further efforts are needed to provide positive motivation for all youth to complete their education and prevent welfare dependency.



TESTIMONY ON H.B. 2799
before the
HOUSE APPROPRIATIONS COMMITTEE

given by
PATRICIA BAKER, ASSOCIATE EXECUTIVE DIRECTOR
KANSAS ASSOCIATION OF SCHOOL BOARDS

March 21, 1990

Thank you, Mr. Chairman and Committee members. I appear before you today on behalf of our 302 member school districts. I appreciate the opportunity to express some concerns about House Bill 2799.

I want to make it very clear that the Kansas Association of School Boards does not oppose the concept of a KanLearn program or other efforts to keep students in school. Our concerns are with a separate and distinct compulsory attendance law for some students, specifically those between 13 and 16 and who are recipients of aid to dependent children.

K.S.A. 72-1111 requires all young people between the ages of 7 and 16 to attend school. And although K.S.A.72-1107 establishes the minimum age for school attendance, our laws do not state a maximum age when persons may attend school.

Under current law the secretary of social and rehabilitation services is charged with the responsibility for enforcing the compulsory attendance law for students between ages 7 and 13 and county and district attorneys have the responsibility for enforcing the law for

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Attachment 7

students between 13 and 16. The statutes set forth the procedures for enforcing the law and are cross-referenced in Chapter 38 dealing with children in need of care.

The provisions of H.B. 2799 present some conflicts with current law, although the bill does not amend the compulsory attendance laws. Specifically:

Page 1, Section 1(b)(3), lines 26 and 27

exempts students who are exempt under state law. This may be interpreted to exempt all 16-19 year olds.

Page 2, Section (b)(10), lines 3 to 5

gives the Secretary the right to exempt any covered students, even those between the ages of 13 and 16 who are otherwise covered by the compulsory attendance law.

If the goal of H.B. 2799 is to ensure that students stay in school and complete their high school education or get a GED we would recommend the following:

- 1) Enforcement of the current compulsory attendance law for students between 7 and ~~13~~¹⁶, and
- 2) Amendments to H.B. 2799, as suggested in the attached balloon, for students over 16 who are receiving ADC.

Thank you for your attention and I would be glad to answer any questions.

HOUSE BILL No. 2799

By Representatives Allen and Jenkins, Barr,
Brown, Flower, Lawrence and Roenbaugh

2-2

10 AN ACT establishing the KanLearn program; providing for admin-
11 istration thereof by the secretary of social and rehabilitation serv-
12 ices; establishing eligibility standards for participation in such
13 program; authorizing the adoption of rules and regulations relating
14 thereto.

15
16 *Be it enacted by the Legislature of the State of Kansas:*

17 Section 1. (a) This act shall be known and may be cited as the
18 KanLearn act.

19 (b) An individual who is a recipient of assistance known as aid
20 to dependent children under subsection (b) of K.S.A. 39-709 and
21 amendments thereto shall enroll in and attend school if all of the
22 following apply:

23 (1) The individual is 13 to 19 years of age; _____ delete "13", add "16"

24 (2) the individual has not graduated from a high school or ob-
25 tained a declaration of equivalency of high school graduation;

26 (3) the individual is not exempted from attending school under _____ delete
27 state law;

28 (4) the individual is a parent or is residing with such individual's
29 natural or adoptive parent;

30 (5) if the individual is the caretaker of a child, the child is at
31 least 90 days old;

32 (6) if child care services are necessary in order for the individual
33 to attend school, licensed or registered child care services under the
34 provisions of article 5 of chapter 65 of the Kansas Statutes Annotated
35 and amendments thereto are available for the child and transportation
36 to and from child care is also available;

37 (7) the individual is not prohibited from attending school while
38 a suspension or an expulsion under K.S.A. 72-8901 *et seq.* and
39 amendments thereto is pending;

40 (8) if the individual was expelled from a school under K.S.A. 72-
41 8901 *et seq.* and amendments thereto, there is another school avail-
42 able which the individual can attend;

43 (9) if the individual is 16 to 19 years of age, the school district

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1 does not determine that the individual will fail to graduate from
2 high school before reaching age 20; and

3 (10) the individual does not have good cause for failing to attend
4 school, as defined by the secretary of social and rehabilitation services
5 by rules and regulations.

add "is over 16 and "

6 (c) (1) An individual who fails to meet the requirements under
7 subsection (b) is subject to sanctions as provided by the secretary
8 of social and rehabilitation services by rules and regulations.

9 (2) The first time an individual is sanctioned under paragraph (1)
10 of this subsection, if application of the sanction would result in the
11 family receiving no payment, the department of social and rehabil-
12 itation services shall make a payment to meet only the needs of the
13 individual's parent or parents who would otherwise be eligible for
14 aid under subsection (b) of K.S.A. 39-709 and amendments thereto
15 for up to three months.

16 (3) An individual who is a participant in the KanLearn program
17 shall be exempt from work projects, community work and training
18 programs, job requirements under the KanWork program and other
19 work requirements for eligibility for receipt of public assistance.

20 (d) In accordance with the provisions of this section, the secretary
21 of social and rehabilitation services shall adopt rules and regulations
22 which establish KanLearn program requirements as a condition to
23 the receipt of assistance known as aid to families with dependent
24 children for individuals specified under subsection (b) and which
25 establish penalties to be imposed when a KanLearn program re-
26 quirement is not completed without good cause. The rules and reg-
27 ulations shall specify good cause reasons for individuals specified
28 under subsection (b) not attending school or completing a KanLearn
29 program requirement, establish attendance requirements for
30 KanLearn participants, specify how the department of social and
31 rehabilitation services determines that a KanLearn participant has
32 failed to attend school, provide for phasing in the implementation
33 of the KanLearn program with full implementation of the school
34 attendance requirement beginning with the first school term which
35 commences subsequent to approval of the waiver under subsection
36 (f) and provide appropriate sanctions for the failure to attend school
37 as specified under the KanLearn program including, as a final sanc-
38 tion, the denial or discontinuance of public assistance known as aid
39 to families with dependent children.

40 (e) Within the limits of appropriations therefor, if the KanLearn
41 participant demonstrates the need to purchase child care services in
42 order to attend school and these services are available, child care
43 services shall be provided to each such participant in the KanLearn

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1 program through reimbursement of private child care providers or
2 through state child care centers. Reimbursement to private child
3 care providers shall not exceed the fee charged to private clients for
4 the same service and may be lower than such fee if the private child
5 care provider agrees to charge a lower fee.

6 (f) The secretary of social and rehabilitation services shall request
7 a waiver from the federal secretary of health and human services to
8 permit the application of the school attendance requirement under
9 this section. The provisions of this section shall not be effective until
10 a federal waiver requested under this subsection is in effect. If a
11 waiver is received, the secretary of social and rehabilitation services
12 shall implement the KanLearn program beginning with the fall 1990
13 school term or if the waiver is obtained subsequent to commence-
14 ment of the fall 1990 school term, the KanLearn program shall be
15 implemented at the next school term after the waiver is received.
16 The provisions of this act shall be implemented in the same counties
17 or areas of this state in which the program established under the
18 KanWork act is implemented.

19 Sec. 2. This act shall take effect and be in force from and after
20 its publication in the statute book.

N.S.