

Approved 1-18-90
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

The meeting was called to order by Chairman Don E. Crumbaker at
Chairperson

3:30 ~~am~~/p.m. on January 16, 1990 in room 519-S of the Capitol.

All members were present except:

All present

Committee staff present:

Avis Swartzman, Revisor of Statutes Office
Ben Barrett, Legislative Research
Carolyn Rampey, Legislative Research
Dale Dennis, State Department of Education
Thelma Canaday, Secretary to the Committee

Conferees appearing before the committee:

Ms. Connie Hubbell, President, State Board of Education
Ms. Kathryn Dysart, Wichita Public Schools
Mr. Ferman Marsh, Assistant Commissioner of Education

Chairman Crumbaker called the meeting to order and welcomed the committee for the 1990 Session.

The chair recognized Ms. Connie Hubbell. Ms. Hubbell asked the committee to introduce legislation to amend Kansas statutes to separate special education mandates for three- and four-year old exceptional children from regular special education statutes. In addition Ms. Hubbell requested the upper age limit for mandatory education be the same for all youth in Kansas. Ms. Hubbell asked the committee to introduce a bill to amend KSA 71-619 concerning the distribution of community college general state aid to conform with classification/reappraisal. (Attachment 1)

Representative R. D. Miller moved the two bills requested by Ms. Hubbell be introduced as Education Committee bills. Representative Amos seconded the motion. Motion carried.

Chairman Crumbaker recognized Ms. Kathryn Dysart.

Ms. Dysart requested the committee to introduce three pieces of legislation: 1) amend KSA 72-7033 by striking the sentence "A pupil enrolled in kindergarten shall be counted as 1/2 pupil." Adoption of this amendment would allow kindergarten students to be counted to the nearest 1/10th of that pupil's actual enrollment time. (Attachment 2) 2) allow districts which must transfer funds from their general fund to categorical program funds to make those transfers outside the general fund budget lids. (Attachment 3) 3) amend KSA 72-9003 to allow boards of education to evaluate long term personnel at more frequent intervals than the three year period. (Attachment 4)

Chairman Crumbaker said motions to introduce the bills requested by Ms. Dysart would be entertained at the Education Committee meeting on Monday, January 22.

The chairman introduced Mr. Ferman Marsh and asked him to report on the Competency-Based Vocational Education program.

Mr. Marsh said the difference between competency based and traditional type teaching is you have open entrance and open exit to the competency based education. Mr. Marsh shared 44 profiles have been developed by the state in the past three years. In addition profiles are available from three national consortiums. Mr. Marsh described how the profiles are developed: input is received from business people as to what entry level is needed by an employee for a specific job. These skills are prioritized and given to educators and practitioners to test. After the profiles are developed catalogs are made available to educators and lesson plans are developed. Mr. Marsh said Liberal and Dodge City community colleges are using this plan to a great degree.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION,
room 519-S, Statehouse, at 3:30 ~~am~~/p.m. on January 16, 1990.

Mr. Marsh answered questions from the committee following his presentation.

Chairman Crumbaker drew the committee's attention to the memorandum of hold-over bills and asked the committee to look them over and tell him of any they wished brought before the committee for discussion. (Attachment 5)

The meeting was adjourned by the chair at 4:03 p.m.

The next meeting will be January 18 in Room 519-S at 3:30 p.m.

LEGISLATION SUPPORTED BY THE
STATE BOARD OF EDUCATION
BUT NOT INCLUDED IN LEGISLATIVE BROCHURE

AMEND K.S.A. 71-619 CONCERNING THE DISTRIBUTION OF COMMUNITY COLLEGE GENERAL STATE AID TO CONFORM WITH CLASSIFICATION/REAPPRAISAL

Current law uses adjusted valuation in the computation of general state aid. Since the Kansas Constitution has been changed and the state has been reappraised, it is necessary that this law be in conformance with the Constitutional Amendment.

AMEND SENATE BILL 13 TO AUTHORIZE TRANSFERS FROM GENERAL FUND AND DEPOSIT OF INTEREST IN THE EDUCATIONAL ENHANCEMENT FUND.

This would permit unified school districts to make all expenditures from one fund.

AMEND KANSAS STATUTES TO SEPARATE THE SPECIAL EDUCATION MANDATE FOR THREE- AND FOUR-YEAR OLD EXCEPTIONAL CHILDREN FROM REGULAR SPECIAL EDUCATION STATUTES.

If the amendment is not made, programs for all three- and four-year old children would be mandated.

AMEND SENATE BILL 13 TO REDEFINE AT RISK STUDENTS

At-risk pupil is any student who is identified at risk of not: (1) completing his/her high school education; (2) meeting the educational goals established by the school; or (3) becoming a productive worker and citizen.

*Attachment 1
House Education
1-16-90*

WICHITA PUBLIC SCHOOLS
Unified School District No. 259
ADMINISTRATION CENTER
217 N. WATER
WICHITA, KANSAS 67202

*Kathryn Dysart, Supervisor
Intergovernmental Affairs
316-833-4135*

Request of the House Committee on Education from the Wichita Public Schools

Wichita began operation of all-day kindergarten programs last year in five schools identified as having disproportionately high percentages of at-risk pupils. Our first year reaffirmed findings of national research. Basic skills gains, particularly by educationally disadvantaged students, are significantly greater in all-day programs.

We believe all-day kindergarten is a cost effective approach to serving children who, without intervention, are likely to require far costlier remediation programs later on or will fail and drop out. However, since we are not allowed to count them as full-time students - even when they are in programs all day - we must rob resources from other student's programming to pay for this service.

Consequently, we request your introduction of a bill which would fund kindergarten programs in actual units provided. This could be accomplished by amending KSA 72-7033 by striking the sentence "A pupil enrolled in kindergarten shall be counted as 1/2 pupil." The effect of this change will be to count kindergarten students to the nearest 1/10th of that pupil's actual enrollment time. This creates the same FTE reporting as is used for pupils in grades 1-12 .

*Attachment 2
House Education
1-16-90*

WICHITA PUBLIC SCHOOLS
Unified School District No. 259
ADMINISTRATION CENTER
217 N. WATER
WICHITA, KANSAS 67202

Kathryn Dysart, Supervisor
Intergovernmental Affairs
316-833-4135

Request of the House Committee on Education from the Wichita Public Schools

Last year, the Wichita Public Schools had to transfer \$9,425,000 from our general fund to our special education fund to cover the difference between the costs of providing state mandated special education programs and the excess cost appropriation made by the legislature. We continue to believe that the full excess costs of providing mandated programs to exceptional children should be assumed by the state.

If the appropriations fall short of full excess costs, districts must assume the expense of providing the required services. To do so at the expense of regular education programming dollars has an extraordinarily disequalizing effect on districts such as Wichita which, due to location in a regional medical center and demographic trends, must provide service to high percentages of severely multiply handicapped pupils. In smaller districts, children with severe disabilities are sent to state institutions and the districts are burdened with none of the costs. Wichita long ago recognized the advantage to children and parents when a severely handicapped child can be served at home and kept in contact with supportive families. However, the cost of this service should not be at the expense of other children in the district who are effectively being shortchanged by required transfers.

A similar situation, although a lesser dollar amount, occurs when state mandated transportation is not fully funded. While we continue to urge you toward full funding of mandated programs, we request your introduction of a bill which would allow those districts which must transfer funds from their general fund to categorical program funds to make those transfers outside the general fund budget lids.

Attachment 3
House Education
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WICHITA PUBLIC SCHOOLS
Unified School District No. 259
ADMINISTRATION CENTER
217 N. WATER
WICHITA, KANSAS 67202

Kathryn Dysart, Supervisor
Intergovernmental Affairs
316-833-4135

Request of the House Committee on Education from the Wichita Public Schools

Current statute requires boards of education to evaluate long-term certificated employees every three years, before February 15. We believe it is often in the best interest of the employee and the district to conduct more frequent evaluations (such as for those employees who are receiving professional assistance or additional training). While the statutory language is permissive as to more frequent evaluations, the date February 15 is confining for any additional evaluations. While we support the deadline for the statutory third-year evaluations, we request additional flexibility for evaluations at other times during alternate years.

We request introduction of a bill which would amend KSA 72-9003 to allow boards of education to evaluate long term personnel at more frequent intervals and at times educationally expedient.

Attachment 4
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MEMORANDUM

Kansas Legislative Research Department

Room 545-N - Statehouse
Topeka, Kansas 66612-1586
(913) 296-3181

January 8, 1990

To: Senate and House Committees on Education

Re: 1989 Bills and Concurrent Resolutions Carried Over to the 1990
Session in the Senate and House Education Committees

A. Senate Education Committee

Senate Bills

S.B. 83 (Senator Walker). The bill amends the professional negotiations law applicable to school districts, community colleges, and area vocational schools. The present law permits professional employees to form, join, or assist professional employees' organizations for purposes of professional negotiations. The statute is broadened to permit professional employees to engage in other concerted activities not prohibited by law for the purpose of other mutual aid or protection.

S.B. 100 (Senate Education Committee). The bill pertains to state aid for community colleges. For state aid purposes, a new type of credit called "developmental credit" is identified. Developmental credit is a type of credit assigned to subjects or courses that are preparatory for participation in a program leading to a postsecondary certificate or degree. Developmental credit is to be distinguished from college credit, which is credit assigned to subjects or courses that are part of an organized and specified program leading to a postsecondary certificate or degree. Developmental credit hour state aid would be paid for Kansas resident student enrollments at the rate of 2.0 times the rate for community college credit hour state aid. This multiple would be phased in over a five-year period, as follows: 1.6 in 1989-90, 1.7 in 1990-91, 1.8 in 1991-92, 1.9 in 1992-93, and 2.0 in 1993-94.

(The bill is a recommendation of the Kansas Association of Community Colleges.)

S.B. 118 (Senators Karr, Anderson, Daniels, et al). The bill amends the law which specifies certain subjects that accredited elementary schools must teach. The listing of required subjects is expanded to include science and the arts.

S.B. 159 (Senator Lee). The bill designates English as the official state language.

S.B. 265 (Senate Education Committee). The bill repeals K.S.A. 72-116, the statute which authorizes any person who completes a four-year course of study in an accredited high school to be admitted to the freshman class of any state educational institution under the State Board of Regents.

*Attachment 5.
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(The bill was recommended by the State Board of Regents. H.B. 2322 is an identical measure.)

S.B. 352 (Senate Ways and Means Committee). The bill pertains to the lease of real or personal property by school districts. The amendment states that beginning July 1, 1989, a school district board of education may not enter into a contract under K.S.A. 72-8225 for the lease-purchase of a permanent structure for a school building.

Senate Concurrent Resolution

S.C.R. 1623 (Senators Johnston, Anderson, Bond, et al). The concurrent resolution proposes a revision of Article 6, the education article of the Kansas Constitution, as it pertains to the education system of the state.

The Legislature is delegated responsibility to establish a system of public education which may be organized and changed as provided by law. The Legislature must make suitable provision for the system of public education and the schools and institutions which are part of the system. In this respect, the Legislature is delegated the power to determine the instrumentalities of governance that may be needed.

The amendment removes the constitutional authority of the State Board of Education with respect to the supervision of public schools, educational institutions, and other state educational interests except those delegated by law to the State Board of Regents. Also removed is language which specifies that a municipal university shall be operated, supervised, and controlled as provided by law and which authorizes, in accord with law, local school boards to engage in cooperative programs.

The practices and arrangements set out in the present Article could be continued or modified by statutory provisions; however, the constitutional authority to legislate in the field of public education clearly would reside with the Legislature -- it would no longer be divided between the Legislature and the State Board of Education.

The amendment also requires the Legislature to make suitable provisions for financing the system of public education. In this respect, the Legislature is authorized to levy a permanent tax and provide for the apportionment and appropriation of the proceeds of the tax. (The present provision authorizes a permanent tax levy only for the use and benefit of state higher education institutions.)

House Bills

H.B. 2086 (House Education Committee). The bill pertains to the composition of the board of trustees of community colleges. The amendment increases a board's membership from six (the current membership of all such boards) to seven. The new seventh member would be elected at-large. This change would become effective on July 1, 1991. The new at-large member would be first elected at the 1991 community college election and would serve a four-year term.

H.B. 2089 (Representatives Bowden, Baker, Borum, et al). The bill amends the statute pertaining to residency of children for school attendance purposes to provide that any child who has attained the age of eligibility to attend school and who lives at

the Judge James V. Riddel Boys Ranch as a result of placement by a district court or by the Secretary of Social and Rehabilitation Services shall be deemed a resident of USD 259, the Wichita school district.

(The subject matter of H.B. 2089 was addressed in 1989 H.B. 2085, which was enacted.)

H.B. 2152 (Representative Patrick). The bill pertains to rates of tuition that community colleges may charge to students. The minimum rate of tuition that may be charged by a community college to in-state resident students would be increased from \$14 per credit hour to \$15 per credit hour in FY 1990, \$16 per credit hour in FY 1991, \$17 per credit hour in FY 1992, \$18 per credit hour in FY 1993, and \$19 per credit hour in FY 1994 and thereafter. The maximum rate of tuition that could be charged to such students (presently, \$22 per credit hour) would be eliminated. The rate of tuition charged to out-of-state or foreign students would be set at the greater of \$55 per credit hour or not less than 2.5 times the amount per credit hour charged to in-state students. The rate that could be charged to a person eligible for in-state rates but who resides within a federal military reservation, if such rate is established, would be not less than \$36 per credit hour.

H.B. 2218 (Representatives Pottorff, Baker, Borum, et al). The bill pertains to school districts and authorizes development and implementation of parent education programs. A state grant program to provide financial support for these programs is established; it is administered by the State Board of Education.

A "parent education program" is a program developed and implemented by a school district board to provide resource materials on home learning activities, private and group educational guidance, individual and group learning experiences for preschool-aged children and their parents, and other activities that enable the parents of preschool-aged children to improve learning in the home. A preschool-aged child is a child under three years old.

A school district board could implement a parent education program; and, in so doing, could enter into cooperative or interlocal agreements; contract with private, nonprofit corporations or associations or with any public or private agency or institution; and apply to the State Board of Education for a grant to supplement its expenditures for such a program. In each school year, to the extent of available appropriations, the State Board would award grants to all school districts which had developed and implemented approved parent education programs. The amount of the grant could not exceed the cost of the program.

The State Board of Education, in cooperation with the State Department of Social and Rehabilitation Services, the State Department of Health and Environment, and other appropriate associations and organizations, would provide school boards with technical advice and assistance. Upon completion of the 1991-92 school year, the State Board of Education would evaluate the parent education programs for which grants were awarded and make recommendations to the Governor and the Legislature regarding whether this program should be continued.

H.B. 2234 (Representatives Blumenthal, Amos, Freeman, et al). The bill proposes enactment of the Student Freedom of Expression Act. It applies to school districts and, more specifically, to student publications which are prepared under the direction of a certificated employee. The bill explicitly protects the liberty of the press

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in such student publications. This means that material cannot be suppressed solely because it involves political or controversial subject matter.

Publication of matter that is libelous, slanderous, or obscene; matter that commands, requests, induces, encourages, commends, or promotes conduct that is defined by law as a crime or that constitutes grounds for suspension or expulsion under K.S.A. 72-8901, as amended; or matter that creates a material and substantial disruption of the normal school activity is not protected by this bill.

Boards of education are prohibited from adopting policies that abridge, violate, or are in derogation of the rights of liberty of the press in student publications or of the rights of students to freely express their sentiments to the extent that such rights are granted by the bill.

No publication or other expression by students under the act is deemed to be a publication or expression of school district policy. No member of a board of education of a school district and no employee thereof may be held responsible in any civil or criminal action for any publication or other expression by students under the legislation.

Sub. H.B. 2540 (House Appropriations Committee). The bill authorizes interlocal cooperation agreements between Emporia State University and cooperating school districts. Emporia State University is authorized to enter into agreements with one or more school districts to perform functions which the University and school districts independently are authorized to perform. Agreements are subject to the Interlocal Cooperation Act. An agreement would establish the Flint Hills Educational Research and Development Association. The board of directors created pursuant to the agreement would be composed of at least one representative of each party to the agreement. An agreement, in order to become effective, must be approved by the State Board of Education and State Board of Regents.

The term of the agreement in performing services, exclusive of special education services, is for a minimum of three and a maximum of five years. If the agreement includes special education services, the duration is perpetual, unless partially or completely terminated in accord with specified alternative provisions which, in any event, would require approval by the State Board of Education. If the State Board of Education disapproves a complete or partial termination of an agreement involving special education services, no further action can be taken on such agreement for at least three years.

An agreement can be modified by mutual agreement of the contracting parties or by legislation. Emporia State University and school districts party to such an agreement are not empowered to levy taxes, issue bonds, participate in the School District Equalization Act or the federal Impact Aid program, or affect state educational institution budgets. Expenses incurred by school districts under an agreement which are paid from the school district general fund are treated as operating expenses.

B. House Education Committee

House Bills

H.B. 2013 (Special Committee on School Finance). The bill was recommended by the interim 1988 Special Committee on School Finance. It proposed important changes to the School District Equalization Act (SDEA) affecting district wealth, local effort, enrollment categories, budget authority, and "hold harmless" equalization aid provisions.

Generally, these major issues were addressed in H.B. 2085, which was enacted. (Presumably, there will be a "new" school finance bill for consideration by the 1990 Legislature.)

H.B. 2087 (House Education Committee). The bill pertains to the financing of community colleges. Following is a summary of the main proposed changes:

1. **Outdistrict Tuition.** The outdistrict tuition paid to community colleges by counties, currently at the rate of \$24.00 per credit hour for students under the 64- to 72-hour limit for nonvocational program enrollments, is phased out over a five-year period.
2. **State Aid.** A new community college aid program is phased in beginning in 1989-90 through 1993-94. The principal objective is to reach an aid level on a statewide average basis of 40 percent of operating costs of the community colleges. During this period, the aid ratio would have been set at 32.08 percent in 1989-90 and would be phased in equal increments to 40.00 percent in 1993-94 and thereafter.

The aid distributions are determined as follows:

- a. Credit hour state aid continues to be paid at the present statutory rate (\$28.00 per credit hour, subject to the 1.5 and 2.0 vocational program multiples).
- b. Outdistrict state aid (currently \$24.00 per credit hour) paid by the state to the community colleges for outdistrict students is increased in equal increments, beginning in 1989-90, until it reached \$48.00 per credit hour in 1993-94 and thereafter.
- c. Beginning in 1989-90, ancillary credit hour state aid and ancillary general state aid (a new program) would have been paid to community colleges. The State Board of Education would calculate this aid by determining in each year the approximate amount of the total operating expenses of all community colleges during the fiscal year and applying to that amount the percentage of state aid to the operating budgets which is applicable to that year. (For example, for 1989-90, the percentage was to be 32.08.) From the amount so produced, the estimated amount of credit hour state aid, outdistrict state aid, general state aid, outdistrict tuition, and local ad valorem tax reduction fund

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income that the community colleges are expected to receive is subtracted. Of the amount remaining, 67 percent is distributed to community colleges on the same basis as credit hour state aid. This distribution is known as ancillary credit hour state aid. The remaining 33 percent is distributed to the community colleges on the same basis as general state aid. This distribution is known as ancillary general state aid.

3. **General State Aid.** In the determination of general state aid entitlements under the existing formula, the property valuation wealth measure is changed from the use of adjusted valuation to the use of assessed valuation of the community college. (This change is made in concert with the implementation in 1989 of statewide reappraisal of property.)
4. **Tax Levies.** The authority of community colleges to levy separately for employee benefits, Social Security, worker's compensation, unemployment insurance (no limit) and vocational education (2-mill limit) is eliminated by virtue of including these items in the general operating fund of the community college. Also, tax lid limitations on community college general fund levies are removed.
5. **Transfers.** Transfers from the community college general fund to the adult education and adult supplementary education fund continue to be authorized; expenditures for these purposes must be made from the respective funds.

(The bill was recommended by the State Board of Education. While the legislation was not enacted in 1989, state funding provided for community colleges generally was thought to be at a level commensurate with that contemplated in H.B. 2087. Another bill, S.B. 210, contained the principles in H.B. 2087, plus that of bringing Washburn University into the state system of higher education. S.B. 210 became the vehicle for funding issues regarding community colleges, Washburn University, tuition grants, and Margin of Excellence. That bill presently is carried over in the House Appropriations Committee. See also, H.B. 2163 for the State Board funding proposal for Washburn University.)

H.B. 2098 (House Public Health and Welfare Committee). The bill requires school district boards of education to adopt policies for the provision of health care services to pupils with health care needs. A pupil with health care needs is a pupil less than 18 years of age whose health or physical, mental, or emotional condition requires health care services.

Professional employees of a school district are required to report to the superintendent of the district instances where it appears a pupil has health care needs. The superintendent then notifies the parent(s) of the pupil of the report. This notice must describe the health services the pupil appears to need, inform the parents of any free or low-cost health care services available in the area, and request the parents to respond to the notice. If the parents respond that they are financially unable to pay the costs of providing the needed health care services and that the pupil is not eligible for medical assistance under Department of Social and Rehabilitation Services programs,

the school district, with the consent of the parents, may cause the pupil to be provided with the needed services and may pay the costs from its general fund.

Failure of the parents to respond to the notice or to provide the needed health care services is considered to constitute child abuse or neglect and is to be reported to the State Department of Social and Rehabilitation Services.

In instances where the costs of health care services have been paid by a school district and the parents of the pupil subsequently acquire financial resources greater than they had when the school district paid the costs, it is the duty of the parents to reimburse the school district for the cost of the health services. Money a school district receives in accord with this provision is considered a reimbursement and is deposited in its general fund.

School districts and health care providers acting in good faith and with consent to provide health care services in accord with the legislation are exempted from civil or criminal liability.

H.B. 2150 (Representatives Baker, Allen, Bowden, et al). The bill amends the current law pertaining to the duration of the school term. The present minimum school term applicable to school districts, expressed in days, is 180 days. The amendment provides that beginning with the 1990-91 school year, the minimum school term will be increased by one day each year through the 1999-2000 school year, at which time it will be 190 days. Another change is to eliminate the option presently available to school districts to comply with the minimum school term requirements by meeting a schedule expressed in terms of school hours. (The statutory provision which specifies the number of hours that must be provided in order to meet the school day requirements remains unchanged.)

H.B. 2154 (Representative Hensley). The bill amends the professional negotiations law applicable to school districts, community colleges, and area vocational-technical schools to include "transfer procedures" as a mandatorily negotiable item.

H.B. 2163 (House Education Committee). The bill pertains to the financing of Washburn University of Topeka, and proposes the following changes:

1. **Outdistrict Tuition and Outdistrict State Aid.** Outdistrict tuition charged to the townships in Shawnee County and to all other counties and outdistrict state aid are phased out beginning with the 1989-90 school year through the 1992-93 school year.
2. **Operating Grant.** Beginning in 1989-90 and ending in 1992-93, the State Board of Education determines the total amount of credit hour state aid, outdistrict state aid, outdistrict tuition, and operating grant received by Washburn in the prior year and increases that amount to 107 percent of the original sum. From the new sum would be subtracted the outdistrict state aid and outdistrict tuition Washburn is entitled to receive in the current year -- the balance being the operating grant for that year. Beginning in 1993-94 and in each year thereafter, the operating grant to Washburn is increased by 7 percent.

(The bill was recommended by the State Board of Education. See also, H.B. 2087, which contains the State Board's funding recommendations for community

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colleges. Another bill, S.B. 210, contained the principle of bringing Washburn University into the state system of higher education, and contained enhanced funding for community colleges, tuition grants, and Margin of Excellence. That bill presently is carried over in the House Appropriations Committee.)

H.B. 2202 (House Committee on Education). The bill pertains to out-district tuition and out-district state aid for community colleges. The 64- and 72-hour limitations on the payment of out-district tuition and credit hour state aid are deleted. Also, taxes levied by counties for the payment of out-district tuition obligations are exempted from the tax lid.

(Under present law, community colleges receive out-district tuition, which is paid by counties, and out-district state aid at the rate of \$24.00 per credit hour for enrollments of Kansas resident students. However, such entitlements are subject to a cap for any student who has 64 hours of credit from a postsecondary institution or 72 hours in the case of enrollments in terminal type nursing or freshman-sophomore level preengineering courses. An exception to this limitation is for enrollments in an approved vocational education program at a community college for receiving vocational or technical training or retraining.)

H.B. 2204 (House Committee on Education). The bill pertains to the vocational education credit hour state aid multiple for enrollments of Kansas resident students in community colleges. Present law authorizes the payment of credit hour state aid at the rate of \$28.00 for enrollments of Kansas resident students for academic credit hours. If the enrollment is in an approved vocational program offered by a community college which also is designated as an area vocational school or a program which has been transferred from an area vocational school or an area vocational-technical school to a community college in accord with an agreement under K.S.A. 1989 Supp. 71-1507, a multiple of 2.0 is applied to the \$28.00 rate; otherwise, the multiple is 1.5. The amendment increases the vocational education multiple for this latter category of programs to 2.0, as follows: 1.6 in FY 1990, 1.7 in FY 1991, 1.8 in FY 1992, 1.9 in FY 1993, and 2.0 in FY 1994 and thereafter.

(The bill was recommended by the Kansas Association of Community Colleges.)

H.B. 2261 (Representatives Gross, Branson, Charlton, et al). The bill amends the School District Equalization Act. The amendment pertains to the determination of the median budget per pupil used for computing per pupil budget limitations and state aid entitlements of school districts in the fourth (next largest) enrollment category. The amendment provides that for each of the 1989-90 and 1990-91 school years, the actual median for the enrollment category is increased by 3.5 percent. Then, for the 1991-92 school year and for each school year thereafter, the median budget per pupil of the fourth enrollment category would be that of the fifth (largest) enrollment category.

(1989 H.B. 2085, which was enacted, provided for an increase in the median budget per pupil in the fourth enrollment category of 2.5 percent for both the 1989-90 and 1990-91 school years.)

H.B. 2294 (Representatives Lowther, Aylward, Chronister, et al). The bill requires the State Board of Regents to prepare a "state university preparatory curriculum." This curriculum would identify academic subject areas in which state university students should be competent, specify the number of units in each such academic subject area which should be satisfactorily completed by a prospective state university student, and

designate the subject matter content of the units to be completed in each such subject area.

As of June 30, 1993, the bill would sunset the provision of law which now provides open admissions to the state universities for persons who complete a four-year course of study in an accredited Kansas high school.

From and after July 1, 1993, admission to the freshman class of a state university would be open to persons who complete a four-year course in an accredited high school and who also complete (1) State Board of Education high school graduation requirements and (2) the state university curriculum. An exception is that from July 1, 1993, through June 30, 1995, such persons would be exempt from any foreign language component of the state university preparatory curriculum.

H.B. 2308 (Representatives Wagnon, Bowden, Branson, et al). The bill pertains to the due process procedures applicable to teachers of school districts, community colleges, and area vocational-technical schools. The amendment makes the decision of the hearing committee final and binding, subject to appeal to the district court.

(Presently, the decision of the three-member hearing panel is final only when it is a unanimous decision.)

H.B. 2322 (Representatives Vancrum, Aylward, Chronister, et al). The bill repeals the statute which authorizes any person who completes a four-year course of study in an accredited high school to be admitted to the freshman class of any state educational institution under the State Board of Regents.

(See also, S.B. 265, which is an identical measure.)

H.B. 2349 (Representatives Wagnon and Hensley). The bill establishes the At-Risk Pupil Assistance Program. This is a state program, administered by the State Board of Education, which awards grants to school districts that develop and maintain At-Risk Pupil Assistance plans.

An At-Risk Pupil Assistance Plan is developed and maintained by a school district board in order to provide at-risk pupils of the district with additional services, including child care services; independent study assistance in the attainment of competency objectives under the minimum competency assessment program; instruction in parenting, consumer, work, and other life skills; opportunity to complete requirements for grade level promotion or graduation from high school; and other programs to address the specific needs of pupils at risk of becoming dropouts.

(The substance of H.B. 2349 was combined with that contained in 1989 S.B. 13 and was enacted by the 1989 Legislature. S.B. 13 originally was designed to provide state financial incentives for school district educational system enhancement plans (which included the principle of dropout prevention). Under the name of the Educational Excellence Grant program, two main types of incentives were established -- educational system enhancement and at-risk pupil assistance initiatives. The sum of \$2.25 million was appropriated from the State General Fund for FY 1990 to support these initiatives.)

H.B. 2431 (House Committee on Education). The bill creates the Teacher Service Scholarship Act. Main provisions of the program, which is administered by the State Board of Regents, include the following:

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1. A teacher service scholarship is financial assistance to a prospective-teacher student, the liability for repayment of which is conditioned on satisfaction of certain contractual obligations.
2. The program is directed toward persons who commit to teach in a school with a significant at-risk pupil enrollment or in a critically underserved field of specialization, or to persons who are members of an ethnic minority group and who engage in the practice of teaching.
3. A school with a significant at-risk pupil enrollment is defined as an accredited school which has an inordinately high pupil failure or dropout rate or in which there is an inordinately large enrollment of at-risk pupils as determined by the State Board of Education for the school year in which the recipient first engages in teaching. A critically underserved field of specialization is defined as a teaching area in which there is a critically short supply of teachers as determined by the State Board of Education for the school year in which the recipient first enters into a teacher service agreement. Ethnic minority group means persons categorized as American Indian or Alaskan Native; Asian or Pacific Islander; Black, non-Hispanic; or Hispanic.
4. To qualify for the scholarship, the person must be a Kansas resident, be accepted for admission or enrolled full time in a teacher education program, continue full time enrollment, remain in good standing, make satisfactory progress toward program completion, enter into a teacher service agreement with the State Board of Regents, and provide information required by the Board. A teacher education institution includes a college or university located in Kansas which is accredited by the State Board of Education for the preparation of school personnel for certification.
5. The teacher service scholarship is provided for each academic semester, up to a maximum of six semesters, in which the recipient is enrolled full time. The amount of the scholarship is an amount equal to the lesser of the total tuition and required fees of the student for the semester or an amount equal to the average amount of the total tuition and required fees of teacher education students who are enrolled full time in teacher education programs at the state universities.
6. Each teacher education institution secures from former prospective-teacher students the evidence needed by the State Board of Regents as proof of satisfaction of the obligations incurred under teacher service agreements and is responsible for determining whether such persons are satisfying the obligations of the agreement. These institutions also are charged with enforcing satisfaction of the repayment liability incurred by persons who do not satisfy the teaching obligation requirements.
7. The obligations of the prospective-teacher student are the following: maintain full-time enrollment each semester while in the program, remain in good standing and make satisfactory progress toward program completion; receive the degree; seek certification by the State Board of Education; teach in a State Board of Education accredited elementary or secondary school for the number of semesters,

consecutively, equal to the total number of academic semesters for which the scholarship was received; submit to the parent teacher education institution the evidence deemed necessary by the State Board of Regents as proof of satisfaction of the teaching obligation; and repay amounts required in the event the obligation is not discharged by teaching.

A person who does not satisfy the teaching obligation is required to repay the teacher education institution an amount equal to the aggregate sum of money received by the person for the portion of the obligation not discharged by teaching, plus annual interest from the date of payments made to the person at the rate of 10 percent per annum. Repayment is by installment payments of not less than one-fifth of the total amount required to be paid if repaid in five equal annual installments.

House Concurrent Resolutions

H.C.R. 5003 (Special Committee on School Finance). The concurrent resolution contains an affirmation of the desirability of achieving the goal of funding school district general fund budgets at the 50 percent level from state aid.

H.C.R. 5010 (House Committee on Elections). The concurrent resolution proposes to amend Article 6 of the Kansas Constitution as it relates to the powers of the State Board of Education. The amendment clarifies that the Legislature will specify the role of the State Board concerning the supervision of public schools, educational institutions, and all of the educational interests of the state, except for those delegated by law to the State Board of Regents.

(The amendment terminates the constitutional power of the State Board of Education to make and execute educational policy within the realm of its responsibility and establishes that the State Board's supervisory role is to be specified by statute.)

Senate Bill

S.B. 63 (Senator Francisco). The bill requires schools which have received proper notice in joint custody situations to make a reasonable effort to notify both parents of medical emergencies involving a child, to permit both parents to participate in school activities, and to mail to such parents grade cards, failure or down slips, and notices of any special needs of the child. In order to receive such notices, the parent (or parents) would be required annually to notify the school in writing of the identity of the child; to identify both parents by name, address, and telephone number; and to provide a certified copy of the court custody order.