

Approved February 21, 1990
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

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

1:30 ~~xxx~~ a.m./p.m. on Monday, February 12, 1990 in room 123-S of the Capitol.

All members were present except:
Senator Steineger, excused

Committee staff present:

Mr. Ben Barrett, Legislative Research Department
Ms. Avis Swartzman, Revisor's Office
Mr. Dale Dennis, Asst. Commissioner of Education
Mrs. Millie Randell, Committee Secretary

Conferees appearing before the committee:

SB 457 - School districts, parents as teachers programs
(Langworthy et al.)

After calling the meeting to order, Chairman Joseph C. Harder requested the Committee to turn its attention to SB 457 for consideration. He then reviewed previous Committee action on SB 457. The Chair recounted that a motion for an amendment had been made by Senator Kerr and seconded by Senator Langworthy to strike the letters "PAT" throughout the bill. Preceding a vote on Senator Kerr's motion, the Chair requested Ms. Denise Apt, Education Aide for Governor Hayden, to update the Committee on the legal status of the logo "PAT".

Ms. Denise Apt reported that she had discussed the Parents As Teachers program with Ms. Mildred Winter, director of the National Center for Parents As Teachers and has been informed that all of the material for Parents As Teachers is copyrighted, and the logo "PAT" is registered. Ms. Apt related Ms. Winter's suggestion to use the language "Parent Education Program" modeled after the Parents As Teachers Program.

When the Chair called for a vote on the motion for an amendment made by Senator Kerr to strike the letters "PAT" from SB 457, the motion carried, and the amendment was adopted.

The consensus of the Committee was that the Kansas program not be locked statutorily into the Missouri program and allow the State Board of Education to make that decision or to modify the plan as needed for Kansas.

Senator Parrish made a conceptual motion to amend SB 457 by striking throughout the bill the language "parents as teachers" and to insert in lieu thereof the language "parents education program". The motion was seconded by Senator Montgomery, and the amendment was adopted.

Senator Langworthy moved that SB 457, as amended, be recommended favorably for passage and that the language of SB 457 be amended into a new bill, Senate Substitute for HB 2218, to be introduced in the Senate. The motion was seconded by Senator Karr. The Chairman explained that the purpose of this action is for the bill to bypass normal channels in the House, since HB 2218, dealing with the same subject, had passed the House last year. He said that if the House does not concur, it would mean the bill would go to conference. He confirmed that the bill's sponsor would be the Education Committee, and it would carry no individual names. The Chair further related that he had conferred with House members, and this plan was agreeable with them. The motion carried. (Attachment 1)

SB 458 - Educational excellence grant program (Harder et al.)

The Chair requested the Committee to turn its attention to SB 458. He reminded the Committee of a pending motion for an amendment made by

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

room 123-S, Statehouse, at 1:30 ~~xxx~~/p.m. on Monday, February 12, 1990.

Senator Parrish and seconded by Senator Karr to modify the definition of "at risk pupil". Senator Parrish, however, requested that her motion be withdrawn, and Senator Karr requested that his second be withdrawn. Senator Parrish then made a new conceptual motion to amend SB 458 by adding two new criteria to her original motion for an amendment, and these are described in (f) (6) and (8) of PAS458jl. (Attachment 2) Senator Karr seconded the motion, and the amendment was adopted.

Senator Langworthy made a conceptual motion to amend the definition of "at risk pupil" in SB 458 by taking the language of the original bill, page 2, (f) (3), "becoming a productive worker and citizen", and inserting it as (f) (9) in PAS458jl. The motion was seconded by Senator Frahm, and the amendment was adopted.

Hearing no further motions for amendments, the Chair said he would entertain a motion to recommend SB 458 for passage.

Senator Kerr moved that SB 458, as amended, be recommended favorably for passage. Senator Frahm seconded the motion, and the motion carried.

SB 459 - An act concerning education; authorizing certain agreements regarding enrollment between school districts and institutions of postsecondary education. (Senator Frahm et al.)

The Chair asked the Committee to turn its attention to SB 459. In reviewing previous Committee discussion on SB 459, the Chairman noted that there were no motions pending. However, the Chair reminded the Committee that it may wish to consider a recommendation for a possible amendment to SB 459 relating to the amount of tuition which may be charged by the independent colleges: "If the agreement is entered into with an accredited independent institution, the requirement that the amount of tuition charged by the institution will be at a rate not greater than the highest rate of tuition that would be charged by the state educational institution for enrollment of the pupil". Responding to a question, the revisor of statutes replied that "state educational institution" only refers to those institutions under the control of the State Board of Regents.

Senator Kerr made a conceptual motion to adopt the proposed amendment as described by the Chairman and to include Washburn University, with the restriction that its tuition charge not exceed the highest rate of tuition that would be charged by a Board of Regents' institution for the pupil's enrollment. The motion was seconded by Senator Frahm, and the amendment was adopted.

One Committee concern relating to SB 459 was the monetary hardship it could pose to school districts constrained by already tight budgets.

Mr. Dale Dennis of the State Department of Education reviewed previously stated assumptions regarding student enrollment that might occur with the passage of SB 459:

Ten percent of seniors, enrolled in six hours of classwork
Five percent of juniors, enrolled in three hours of classwork
Approximately one half would enroll in the community colleges, one fourth in Regents' institutions and Washburn, and one fourth in private schools.

Mr. Dennis estimated the full cost to the state, according to the original bill, would be approximately \$768,000. Because of the amendment just adopted, Mr. Dennis explained, this figure would be cut in half. Mr. Dennis estimated that school districts' commitment would be approximately \$175,000 and said that this amount would have to be within the school districts' budget limitations. Mr. Dennis, responding to another question, said that the cost to a school district per student,

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION,
room !@#_S, Statehouse, at 1:30 xxx a.m./p.m. on Monday, February 12, 1990.

based on six hours of coursework, would be approximately \$80 compared to approximately \$1300 in state aid the district would receive for the student.

One Committee question posed was: Is it legal to send high school students to college if the instructors are not certified? The revisor of statutes informed members that as of now no instructor need be certified for the purpose of the compulsory attendance law. She further stated, however, that under the rules and regulations of the State Board of Education, in order to be an accredited school you must have certified teachers.

Mr. Dale Dennis noted that under current law the Board of Regents' schools, private colleges, and community colleges "are not required to be certified."

When the Chair asked the Committee's pleasure regarding SB 459, Senator Kerr moved that SB 459, as amended, be recommended favorably for passage. The motion was seconded by Senator Karr, and the motion carried.

The Chairman announced that the meeting scheduled for Tuesday, February 13 is cancelled, since the Committee had completed work on Senate Bills 457, 458, and 459. The Chair also announced that the Committee meeting in the Supreme Court Chamber on Thursday, February 15 will commence at 1:20 p.m. because of the tight schedule involved in the two-way, interactive video demonstration.

Senator Montgomery moved that minutes of the meeting of February 7 be approved. Senator Anderson seconded the motion, and the motion carried.

The Chair adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 123-S DATE: Monday, February 12, 1990

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
<i>Diane Axt</i>	<i>Topeka</i>	<i>Gov's Office</i>
<i>Pip Waggoner</i>	<i>Topeka</i>	<i>leg</i>
<i>Bill Muesel</i>	<i>Murrayville</i>	<i>St. Bd of Ed.</i>
<i>Connie Huesel</i>	<i>Topeka</i>	<i>St Bd of Ed</i>
<i>Paul Getto</i>	<i>Topeka</i>	<i>Ks Assn School Bds.</i>
<i>Bob Kelly</i>	<i>Topeka</i>	<i>Ks Independent College</i>
<i>Gerald Hudson</i>	<i>Topeka</i>	<i>USA of KS</i>
<i>Mark Hill</i>	<i>"</i>	<i>KACC</i>
<i>Kay Allen</i>	<i>Topeka</i>	<i>K-NEA</i>
<i>Chuck Tilman</i>	<i>Topeka</i>	<i>KNEA</i>
<i>Ken Rogg</i>	<i>Topeka</i>	<i>SPE</i>
<i>Craig Grant</i>	<i>Topeka</i>	<i>K-NEA</i>
<i>Jim Yanally</i>	<i>Overland Park</i>	<i>USD #512</i>
<i>Helen Stephens</i>	<i>Topeka</i>	<i>B.V #229</i>
<i>Rev. Bill Posey</i>	<i>Clay Center</i>	<i>United Methodist Church</i>
<i>Rev. Janie K. Barnes</i>	<i>Overland Park</i>	<i>Presbyterian Church</i>
<i>Rev. Paul Witten</i>	<i>Eudora</i>	<i>United Church of Christ</i>
<i>Rev. Phil Friedman</i>	<i>Topeka</i>	<i>Seaman Cong. UCC</i>
<i>Jeanne Soddard</i>	<i>Overland Park, KS</i>	<i>United Church of Christ</i>
<i>Janice Bloomington</i>	<i>Overland Park</i>	<i>KEM</i>
<i>Rev. John Green</i>	<i>Langford, KS</i>	<i>United Methodist Church</i>
<i>Harry V. Smith</i>	<i>Atchison, KS</i>	<i>First Christian Church</i>

SENATE SUBSTITUTE FOR HOUSE BILL NO. 2218

By Committee on Education

AN ACT concerning school districts; authorizing the development and operation of parents as teachers programs and providing for grants of state moneys therefor; amending K.S.A. 1989 Supp. 72-7062 and 72-7063, and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. As used in this act:

(a) "Board" means the board of education of any school district.

(b) "School district" means any public school district organized and operating under the laws of this state.

(c) "Parents as teachers program" means a program developed and operated by a board for the purpose of providing expectant parents and parents of infants or toddlers or both with information, advice, assistance, resource materials, guidance and learning experiences regarding such measures as parenting skills and the various styles of parenting, the processes and principles of growth and development of children, home learning activities designed for infants and toddlers, techniques emphasizing a positive approach to discipline, effective methods of communicating and interacting with children so as to foster the development of self-esteem, strategies for structuring behavioral limits and increasing mutual positive regard, and other elements of effective parenting that are conducive to the structuring of a home environment in which children are encouraged to be successful and productive learners.

(d) "Infant" and "toddler" mean a child who has not attained the age of three years.

(e) "State board" means the state board of education.

New Sec. 2. (a) The board of every school district may: (1) Develop and operate a parents as teachers program; (2) enter into cooperative or interlocal agreements with one or more other boards for the development and operation of a parents as teachers program; (3) contract with private, nonprofit corporations or associations or with any public or private agency or institution, whether located within or outside the state, for the provision of services which are appropriate to a parents as teachers program; and (4) apply for a grant of state moneys to supplement amounts expended by the school district for development and operation of a parents as teachers program.

(b) In order to be eligible to receive a grant of state moneys for the development and operation of a parents as teachers program, a board shall submit to the state board an application for a grant and a description of the program. The application and description shall be prepared in such form and manner as the state board shall require and shall be submitted at a time to be determined and specified by the state board. Approval by the state board of the program and the application is prerequisite to the award of a grant.

(c) Each board which is awarded a grant under this act shall make such periodic and special reports of statistical and financial information to the state board as it may request.

New Sec. 3. (a) The state board shall adopt rules and regulations for the administration of this act and shall:

(1) Establish standards and criteria for reviewing, evaluating and approving parents as teachers programs and applications of school districts for grants;

(2) conduct a needs-assessment survey of school districts applying for grants;

(3) evaluate and approve parents as teachers programs;

(4) establish priorities in accordance with the findings of the needs-assessment survey for the award of grants to school districts and for determination of the amount of such grants;

(5) be responsible for awarding grants to school districts;

and (6) request of and receive from each school district which is awarded a grant for development and operation of a parents as teachers program reports containing information with regard to the effectiveness of the program.

(b) In evaluating and approving parents as teachers programs for the award of grants to school districts, the state board shall consider:

(1) Prior experiences of school districts in the development and operation of parents as teachers programs;

(2) level of effort exhibited by school districts in the development and operation of parents as teachers programs;

(3) the amounts budgeted by school districts for the development and operation of parents as teachers programs; and

(4) the potential effectiveness of the parents as teachers programs for which applications for the grant of state moneys are made.

New Sec. 4. (a) (1) In the 1990-91 school year, to the extent that appropriations are available therefor, and on the basis of established priorities, the state board shall select for the award of grants of state moneys those school districts, not to exceed 100 school districts, which the state board determines to be most capable of developing and operating successful parents as teachers programs.

(2) In the 1991-92 school year, to the extent that appropriations are available therefor, and on the basis of established priorities, the state board shall select for the award of grants of state moneys those school districts, not to exceed 200 school districts, which the state board determines to be most capable of developing and operating successful parents as teachers programs.

(3) In the 1992-93 school year and in each school year thereafter, to the extent that appropriations are available therefor, each school district which has developed and is operating an approved parents as teachers program shall be

eligible to receive a grant of state moneys.

(b) The amount of a grant to a school district shall be determined by the state board in accordance with established priorities, but in no event shall such amount exceed the amount of actual expenses incurred by the school district in the development and operation of a program. If the amount of appropriations for parents as teachers programs is insufficient to pay in full the amount each school district is determined to be eligible to receive, the state board shall prorate the amount appropriated among all school districts in proportion to the amount each such school district is determined to be eligible to receive.

New Sec. 5. There is hereby established in every school district which has developed and is operating a parents as teachers program for which grants are awarded under this act a fund which shall be called the parents as teachers program fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. Notwithstanding any other provision of law, all moneys received by the school district from whatever source for a parents as teachers program operated under this act shall be credited to the fund established by this section. Amounts deposited in the parents as teachers program fund shall be used exclusively for the payment of expenses directly attributable to the program.

New Sec. 6. The state board in cooperation with the state department of social and rehabilitation services, the state department of health and environment, and other appropriate associations and organizations, may provide any board, upon its request therefor, with technical advice and assistance regarding the development and operation of a parents as teachers program or an application for a grant of state moneys, and may make studies and gather and disseminate information regarding materials, resources, procedures, and personnel which are or may become available to assist school districts in the development and operation of parents as teachers programs.

Sec. 7. K.S.A. 1989 Supp. 72-7062 is hereby amended to read as follows: 72-7062. (a) Except as otherwise provided in this section, any revenues of a district, not required by law to be deposited in or credited to a specific fund, shall be deposited in or credited to any fund of the district specified in K.S.A. 72-7057 through 72-7061, and amendments to such sections, or to the capital outlay fund, the adult education fund, the adult supplementary education fund, the bilingual education fund, or the inservice education fund, or the parents as teachers program fund.

(b) At the discretion of the board of any district, revenues earned from the investment of an activity fund of the district in accordance with the provisions of K.S.A. 12-1675, and amendments thereto, may be deposited in or credited to such activity fund.

(c) (1) At the discretion of the board of any district and subject to provision (2), any revenues specified in subsections (a) and (b) may be deposited in or credited to the general fund of the district in any school year for which the allotment system authorized under K.S.A. 75-3722, and amendments thereto, has been inaugurated and applied to appropriations made for school district equalization aid or in any school year for which any portion of the appropriations made for school district equalization aid are lapsed by act of the legislature.

(2) In no event may the amount of revenues deposited in or credited to the general fund of the district under authority of provision (1) exceed an amount equal to the amount of the reduction in school district equalization aid entitlement of the district determined by the state board to be the result of application of the allotment system to the appropriations made for school district equalization aid or of the lapse of any portion thereof by act of the legislature.

(d) At the discretion of the board of any district, revenues received by the district from the federal government as the district's share of the proceeds derived from sale by the federal government of its rights to oil, gas and other minerals located

beneath the surface of lands within the district's boundaries may be deposited in the bond and interest fund of the district and used for the purposes of such fund. If at any time all indebtedness and obligations of such fund have been fully paid and canceled, the revenues authorized by this subsection to be deposited in such fund shall be disposed of as provided in subsection (a).

(e) To the extent that K.S.A. 72-1623, 72-8804 and 79-2958, and amendments to such sections, conflict with this section, this section shall control.

Sec. 8. K.S.A. 1989 Supp. 72-7063 is hereby amended to read as follows: 72-7063. (a) Any lawful transfer of moneys from the general fund of a district to any other fund shall be an operating expense in the year the transfer is made. In addition to other transfers authorized by law, the board of any district may transfer moneys from its general fund to its transportation fund, special education fund, food service fund, driver training fund, adult education fund, adult supplementary education fund, vocational education fund, bilingual education fund, ~~or~~ inservice education fund, or parents as teachers program fund. Except as provided in subsection (c), expenditures for capital outlay, transportation, special education, food service, driver training, adult basic education, adult supplementary education, vocational education, bilingual education, ~~and~~ inservice education, and parents as teachers programs shall not be made from the general fund of a district.

(b) The board of any district may transfer moneys from its general fund to its capital outlay fund in any school year subject to the following conditions:

(1) No board of any district shall transfer moneys in any amount from its general fund to its capital outlay fund prior to June 1 in any school year.

(2) No board of any district shall transfer moneys in any amount from its general fund to its capital outlay fund in any school year unless such district, in its adopted budget for such

year, shall have budgeted a capital outlay levy of not less than the mill levy rate necessary to raise the same amount of money that would have been raised in the 1988-89 school year by a 3.5 mill levy rate.

(3) The board of any of the districts in the fifth enrollment category may transfer moneys in an amount not to exceed an amount equal to 1% of its legally adopted budget of operating expenses from its general fund to its capital outlay fund.

(4) The board of any district, other than the districts in the fifth enrollment category, may transfer moneys in an amount not to exceed an amount equal to 2% of its legally adopted budget of operating expenses from its general fund to its capital outlay fund.

(c) Any district may make capital outlay expenditures from its general fund for acquisition of equipment and repair of school buildings.

Sec. 9. K.S.A. 1989 Supp. 72-7062 and 72-7063 are hereby repealed.

Sec. 10. This act shall take effect and be in force from and after its publication in the statute book.

Proposed Amendment to Senate Bill No. 458

On page 2, by striking all of lines 16 through 30; following line 30, by inserting the following subsection:

"(f) "At risk pupil" means any person who is enrolled in preschool, kindergarten or any of the grades one through 12 maintained by a school district and who is at risk of not meeting the educational goals and objectives established by the school district or of not completing the requirements necessary for promotion to grade level, grade-to-grade promotion, or graduation from high school. At risk pupils may be characterized, but not by way of limitation, by any one or more of the following indicators: (1) A high rate of absenteeism from school attendance; (2) failure to achieve grade-level standards; (3) failure in two or more subjects or courses of study; (4) two or more credits behind other pupils in modal grade in the number of graduation credits attained; (5) retention at grade level one or more times; (6) below modal grade for pupils in the same age group; (7) pregnancy or parenthood or both; (8) repeated commission of any of the disciplinary infractions specified in K.S.A. 72-8901, and amendments thereto, whether or not such conduct resulted in a suspension or expulsion from school. The definition of at risk pupil does not include within its meaning any person determined to be an exceptional child under the provisions of the special education for exceptional children act."