

Approved March 12, 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 Thursday, March 1, 1990 in room 123-S of the Capitol.

All members were present except:

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:

After calling the meeting to order, the Chairman announced that the Committee would consider and take action on measures previously heard. He then asked the Committee to turn its attention to SB 343, relating to driving privileges conditional upon school attendance, and called for Committee discussion. By consensus of the Committee, the Chairman was requested to recommend SB 343 for interim study.

When the Chair called for discussion and/or action on SB 564, relating to the Midwestern Higher Education Compact, Senator Allen moved that SB 564 be recommended favorably for passage. The motion was seconded by Senator Anderson, and the motion carried.

The Chairman then referred the Committee's attention to the many bills relating to community colleges that had been heard by the Committee. He indicated that most of the bills need additional work on them preparatory to possible passage. The Chair commented on a five-year plan to be implemented which would phase out out-district tuition. He noted that out-district tuition has been a controversial issue among the counties. The Chair acknowledged that further study is needed regarding off-campus courses and other off-campus activities relating to community colleges. Vocational-technical schools, also, was mentioned by Committee as needing interim study. By consensus of the Committee, the Chair was requested to recommend for interim study certain subjects relating to community colleges and vocational-technical schools.

The Chair recalled that another item indirectly addressed in testimony given by Dr. Merle Hill, executive director, Kansas Association of Community Colleges, related to tuition. Several colleges, he noted, are pushing the upper limits, and he suggested one of two options: 1) Remove the lid and have no cap, or 2) Raise the existing cost of tuition by \$2 for resident students. He said that most of the people with whom he has spoken feel that a cap should be retained. The Chair continued by saying that since hardly any school is at the lower level on the tuition cost scale, he felt that issue does not need to be addressed.

The revisor of statutes suggested that SB 607 would be the simplest bill in which to adjust the cap for community college tuition. The Chairman agreed and called for Committee discussion.

Responding to Committee discussion, the revisor of statutes stated that HB 2152, passed by the House last year, eliminates the cap on tuition and raises the minimum by one dollar per year each year through 1994.

Vice-chair Frahm made a conceptual motion to amend SB 607 by increasing the cap on resident tuition from \$22 to \$24 per credit hour and eliminating all of the other substantive provisions of the bill. Senator Langworthy seconded the motion.

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room 123-S, Statehouse, at 1:30 ~~xxx~~/p.m. on Thursday, March 1, 1990.

Senator Steineger made a conceptual substitute motion to amend HB 2152 by striking the language relating to elimination of the cap on tuition and inserting in lieu thereof language which increases by \$2 per credit hour the existing tuition cost for resident students and leaving the lower limit as it presently stands. Senator Karr seconded the motion, but the Chair ruled that the substitute motion to amend HB 2152 had failed.

When the Chair called for a vote on the primary motion made by Vice-chair Frahm and seconded by Senator Langworthy to amend SB 607 by raising the upper limit on tuition cost by \$2 per credit hour and leaving the lower limit in tact, the Chair ruled that the motion had carried and the amendment was adopted.

Senator Parrish moved that SB 607, as amended, be reported favorably for passage. The motion was seconded by Senator Langworthy, and the motion carried. Senator Steineger requested that his nay vote be recorded.

The Chair called for Committee discussion on SCR 1630, relating to business-education partnerships. Senator Kerr moved that SCR 1630 be recommended favorably for passage. The motion was seconded by Senator Langworthy, and the motion carried.

Senator Karr, requesting to be recognized, called attention to SB 118 which, he explained, was introduced during the 1989 session and was tabled by the Senate Education Committee. Senator Karr stated that SB 118, of which he is a co-sponsor, mandated the teaching of two additional courses, science and the arts, in every accredited elementary school.

The Chair reminded the Committee that SB 118 had been recommended for interim study; but since the interim did not include a committee to study educational issues, the bill had been given no further consideration.

Senator Karr moved that SB 118 be recommended favorably for passage. His motion was seconded by Senator Parrish.

The revisor of statutes, responding to a Committee question, informed members that the Supreme Court, through the Peabody case, states that the powers of the State Board of Education are self-executing, which means that they are given to the State Board directly by the Constitution. At this point in time, the revisor continued, the general supervision of the schools by the State Board would include certification of teachers, accreditation of schools, and rules and regulations regarding conduct of personnel and students.

Responding to a further question, the revisor answered that the Legislature has the authority to pass SB 118, but the State Board has the authority either to regard it or to disregard it.

Senator Karr recalled that a conferee testifying on SB 118 last year questioned whether or not the statute was necessary and suggested that it be repealed. Senator Karr further stated that he had discussed this matter with some of the people who had made a request for the bill, and they also feel it might be an appropriate action to repeal, instead of amend, the statute. Staff informed members that the statute dates as far back as 1923 and possibly earlier.

Senator Karr then withdrew his motion to recommend SB 118 favorably for passage, and Senator Parrish withdrew her second.

Senator Karr offered a new motion that K.S.A. 72-1101, relating to mandatory teaching of certain subjects in accredited elementary schools, be repealed. Senator Parrish seconded the motion.

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Further Committee discussion indicated that several members would like another hearing on SB 118 before the Committee takes further action on the bill. The Chair indicated he would request an opinion from the State Board of Education.

The Chair ruled that the motion made by Senator Karr shall remain on the table until the next Committee meeting, and he adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 123-S DATE: Thursday, March 1, 1990

GUEST LIST

| <u>NAME</u> | <u>ADDRESS</u> | <u>ORGANIZATION</u> |
|-----------------|---------------------------|---------------------------|
| Dana Farmer | Rt. 2 Box 141; Pratt, Ks. | |
| Jamie Narwak | 1224 Weston Road, KS. | |
| Bkine Jones | Box 13 Mollinville, KS | |
| Craig Grant | Topeka | K-NEA |
| Cornie Huesel | Topeka | S. Bd of Ed |
| DAVID HERNES | TOPEKA | BUDGET |
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| Thomas Dyer | 1180259 | Wichita |
| Bill Curtis | Topeka | Ks. Assoc. of School Bds. |
| Steve Schmid | Topeka | KPO |
| Gerald Anderson | Topeka | USA |
| Gary Condra | Lawrence | |