

Approved: 3-16-95
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairman Rochelle Chronister at 3:30 p.m. on February 23, 1995 in Room 519-S of the Capitol.

All members were present except: Representative Tony Powell (excused)

Committee staff present: Ben Barrett, Legislative Research Department
Dale Dennis, Department of Education
Avis Swartzman, Revisor of Statutes
Lois Thompson, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Representative Larkin requested Minutes of February 9th be corrected With no other corrections requested, Chairman Chronister declared Minutes of February 6, 7, 8 and 9 approved as corrected.

Discussion and action of HB 2217 was opened.

Representative Morrison moved and Representative O'Connor seconded motion to pass HB 2217 bill favorably.

Representative Reardon made a conceptual substitute motion seconded by Representative Ballou: To limit the use of vouchers in regards to non-public school to accredited non-public schools. Motion carried.

Representative Reardon moved and Representative Power seconded a conceptual motion to amend. On the first year there would be no change in that it would provide \$1,800 to Kansas students currently attending Kansas public schools who would qualify for free lunch, the voucher would go to children in public schools who would move to an accredited public school and have to qualify for free lunch, second year would stay the same in that both additional students transferring would receive the \$1,800, but all students currently including those that transferred the year before below the income level that would qualify them for free lunch would also get it. The third year instead of going to free and reduced, in his amendment would stay at free and the third year would be identical to the second year and the money would stay at \$1800. The total fiscal note would be less because of the money increasing each year, it stays at only \$1800. At the end of the third year, it would sunset and the Legislature would then make a decision if some of the worst case scenarios that we heard come true. His guess is that at the end of the third year it would be the end of vouchers in this state.

Chairman Chronister summarized the motion as the first year would remain the same as it is now. The second year all additional students who are currently in a non-public accredited school who are free lunch would then be eligible to receive \$1800. Also, the third year they would stay at that same level \$1800 only going to free lunch eligible students, and at the end of the third year there would be a sunset to this entire bill. All language regarding 4th, 5th year would be eliminated. Motion carried.

Ben Barrett explained the fiscal note for HB 2217.

Representative Reardon moved the amendment. Motion carried on a division of 11 to 7.

Representative O'Connor moved and Representative Swenson seconded amendment as outlined in the balloon. (Attachment 1) Motion failed on a division of 9 to 9. Vote was recounted: results remained the same.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION, Room 519-S Statehouse, at 3:30 p.m.
on February 23, 1995.

Representative Pettey moved and Representative Luthi seconded a friendly amendment changing the title of the bill wherever it may appear to Accredited Non-Public School Voucher Bill from G.I. Bill for Kids. Motion carried.

Representative Franklin moved and Representative Swenson seconded motion to report bill favorably as amended.

Representative Tomlinson moved and Representative Toelkes seconded substitute motion to prohibit schools from accepting Kansas vouchers that discriminate due to gender. Motion carried.

Representative Tanner moved and Representative Horst seconded motion to pass **HB 2217** as amended without recommendation.

Representative Larkin moved and Representative Wells seconded substitute motion to amend making this a pilot study. Representative Larkin withdrew his amendment. Representative Wells agreed.

Representative O'Connor moved and Representative Swenson seconded a substitute motion to pass **HB 2217** as amended favorably. Motion fails on a 10 to 9 division with chair voting no.

Representative Tanner moved his motion to pass bill as amended without recommendation. Motion carried 12 to 7. Requested "No" votes recorded: Representative Tomlinson, Toelkes, Wells, Ballard, Petty and Luthi.

Two handouts: Kansas' Attitudes Toward Education, Feb. 1994, Jones Institute For Educational Excellence, Emporia State University (Copy on file with House Education Secretary), and Christian Home Educators Confederation of Kansas letter in support of school choice for accredited schools but in opposition to vouchers for non-accredited schools. (Attachment 2).

The next meeting is scheduled for February 24, 1995.

GUEST LIST

Committee: Education

Date: 2-23-95

NAME: (Please print)	Address:	Company/Organization:
Kris Booker	523 North Oak, McPherson	36. Joseph School
Clint Woerth	3200sw Evening side Dr	Kansas Senate
Craig Grant	Topeka	KWFA
Don Rye	Emmett	Raw Valley 321
Billie Highfill Scott	Topeka	USA
Marsha Abraham	Salatha	CWA
LAURIE BUECKER	GREAT BEND	
BEATRICE SWOOPES	LENEXA	KS CATH CONF.
Cleta Penyer	Salatha	Right to Life of Ks.
Karen Lowery	Topeka	KASB
Mark Tallman	Topeka	KASB
Bill Music	MINNEAPOLIS	ST BLD Fed
Rolin Lehman	Lawrence	UID 2330
Bob Johnson	Lawrence	WV Law school
Tom Rottenghaus	Lawrence	Intern
Delbert Crabb	73rd Dist	
Rich McEart	Emporia	Intern John Ballance
Clark Allemang	Emporia	Rep. Topliker
Josue Dalse	Topeka	S&E
Judith D Edwards	Bison	
Megan Young		Susan Wayne's office
Mark Johnson	TECUMSEH	USD 450
Janet Martin	Olathe	Leadership Olathe
Zickel Parker	Olathe	State Farm Leadership Olathe
Conn McCort	Olathe	OSSL Leadership Olathe

HOUSE BILL No. 2217

By Representatives O'Connor, Aurand, Donovan, Farmer,
Jennison, Landwehr, Long, Merritt, Morrison, Neufeld and Wagle

1-27

10 AN ACT enacting the Kansas G.I. Bill for Kids.

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

13 Section 1. This act shall be known and may be cited as the Kansas
14 G.I. Bill for Kids. It is the purpose of this act to establish a statewide
15 program under which the parents of eligible children are empowered to
16 exercise choice in the selection of schools for enrollment and attendance
17 of such children.

18 Sec. 2 As used in this act:

19 (a) "Program eligible child" means any person who is (1) a resident
20 of this state, (2) school age and eligible for enrollment in school and
21 attendance at kindergarten or any of the grades one through 12, (3) if
22 enrolled in and attending a private elementary or secondary school, dem-
23 onstrating academic improvement and complying with the requirements
24 of section 8, and amendments thereto, (4) for the 1995-96 school year, a
25 pupil who was enrolled and in attendance at school in a unified school
26 district during the 1994-95 school year, (5) for the 1995-96 and 1996-97
27 school years, eligible for free meals under the national school lunch act,

28 (6) for the 1997-98, 1998-99 and 1999-2000 school years, eligible for free
29 or reduced cost meals under the national school lunch act, and (7) for the
30 2000-01 school year and each school year thereafter, the term program
31 eligible child means any person who meets the requirements of provisions
32 (1) through (3) of this subsection. The force and effect of provision (4)
33 shall expire on June 30, 1996. The force and effect of provision (5) shall
34 expire on June 30, 1997. The force and effect of provision (6) shall expire
35 on June 30, 2000.

36 (b) "Parent" means and includes natural parents, adoptive parents,
37 stepparents, foster parents, and persons acting as parents.

38 (c) "Person acting as parent" means (1) a guardian or conservator, or
39 (2) a person, other than a parent, who is liable by law to maintain care
40 for, or support the child, or who has actual care and control of the child
41 and is contributing the major portion of the cost of support of the child,
42 or who has actual care and control of the child with the written consent
43 of a person who has legal custody of the child, or who has been granted

for the 1995-96, 1996-97 and 1997-98 school years, a pupil who is enrolled for attendance at school in a nonpublic Kansas school of choice, (7)

(8)

June 30, 1998. The force and effect of provision (7) shall expire on

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1 each of the specified school years. An audit shall be conducted of the
2 computations made by the state board for determining the savings real-
3 ized for each of the specified school years. The auditor to conduct such
4 audits shall be specified in accordance with K.S.A. 46-1122, and amend-
5 ments thereto. The cost of such audits shall be borne by the state board.

6 (d) (1) For the 1996-97 school year, the state board shall award
7 vouchers to parents of program eligible children who attended nonpublic
8 schools in the ~~1995-96~~ school year in the order in which applications are
9 received until the amount of savings realized by the state due to main-
10 tenance of the program in the 1995-96 school year, as computed under
11 subsection (c), is depleted. Application forms shall be marked with the
12 date and time of receipt.

1994-95

13 (2) Nothing in this subsection shall be applied or construed in any
14 manner so as to exclude program eligible children who attended public
15 school in the 1995-96 school year from participation in the program.

16 (3) The provisions of this subsection shall expire on June 30, 1997.

17 Sec. 4. (a) Subject to the provisions of subsection (b), a Kansas school
18 of choice shall admit program eligible children who have received vouch-
19 ers and who apply, up to the limit of the school's capacity after reserving
20 places for children required or entitled to be admitted to the school, for
21 admission.

22 (b) A nonpublic Kansas school of choice shall establish criteria for
23 the admission of program eligible children. Such criteria shall be consis-
24 tent with the admissions criteria that the school regularly applies. In the
25 case of a public Kansas school of choice, the state board shall establish
26 criteria for the equitable allocation of places for program eligible children
27 if there are insufficient places to serve all such children requesting place-
28 ment.

29 (c) The state board shall establish a procedure for ensuring that no
30 school district experiences a decrease in enrollment in the 1995-96 school
31 year, as a result of participation by program eligible children in the pro-
32 gram, that is in excess of the percentage applicable to the district under
33 this subsection from the enrollment of the district in the 1994-95 school
34 year. For the purpose of this subsection, the percentage applicable to a
35 district with under 400 enrollment is 4%, the percentage applicable to a
36 district with 400-1,999 enrollment is 7%, and the percentage applicable
37 to a district with 2,000 or over enrollment is 10%. The provisions of this
38 subsection shall expire on June 30, 1996.

39 Sec. 5. (a) In order for a Kansas school of choice to be eligible to
40 accept vouchers from the parents of program eligible children, the school
41 shall provide assurance to the state board that the amount of the costs of
42 enrollment of a program eligible child will not be greater than the amount
43 of the costs of enrollment regularly charged by the school. If the voucher

C.H.E.C.K.

CHRISTIAN HOME EDUCATORS CONFEDERATION OF KANSAS

- Home Educators
- **Arkansas City**
Arkansas City Homeschoolers
- **Berlin**
Home Educators and Really Terrific Students
- **Cawker City**
Northern Kansas Home Educators
- **Colby**
Christian Family Educators
- **Dodge City**
Parents Educating According to Christ's Example
- **El Dorado**
El Dorado Homeschoolers
- **Emporia**
Flint Hills Educators
- **Fairview/Haworth/Powhattan**
Fairview and Surrounding Territories
- **Frederick/Yates Center**
Parent-teacher Association for Christian Kids
- **Garden City**
High Plains Home Educators
- **Goessel/Hessdon/Miamidridge**
Central Kansas Private Schools
- **Great Bend**
Golden Belt Home Educators
- **Halswood**
Family Association of Christian Teaching
- **Hays/McCracken**
Post Rock Home Educators
- **Independence**
Home-Oriented Private Education
- **Kansas City metro**
Johnson County Parent Educators
- **Lakin**
Kearny County Homeschoolers
- **Lawrence**
Teaching Effective Academics in Christian Homes
- **Leavenworth**
Christian Home Educators of Leavenworth
- **Liberal/Hugoton**
Southwest Kansas Christian Family Educators
- **Lincoln/Wells**
Northcentral Kansas Home Educators
- **Lyndon/Melvinn/Overbrook**
Arrow Homeschool Group
- **Manhattan**
Christian Homes in Educational Fellowship
- **Medicine Lodge**
South Central Family Educators
- **Newton/Elbing/Whitewater**
Christian Heritage Homeschool Association
- **Newton**
Shepherds Lambs Homeschool Association
- **Newton**
Upperclass Group of Homeschoolers
- **Ottawa**
Franklin County Homeschoolers
- **Parsons/Altamont**
Parsons-Altamont Local Support
- **Pittsburg**
Christian Home Educators Fellowship
- **Pratt**
Bright Educational Alternatives Network and Support
- **Salina**
Smoky Valley Home Educators
- **Scott City**
Western Plains Home Educators
- **Topeka**
Cornerstone Family School
- **Wellington**
Shekinah Christian Fellowship
- **Wichita**
Teaching Parents Association
- **Winfield**
Walnut Valley Family Educators

February 21, 1995

The Honorable Rochelle Chronister
Chair, House Education
Rm. # 446-N
Capitol Building
Topeka, KS 66612

Re: *CHECK* Position on HB 2217 (Kansas G.I. Bill for Kids) **in support** of school choice for accredited schools **but in opposition** to vouchers for non-accredited schools.

Dear Representative Chronister:

I am writing as the representative of the **Christian Home Educators' Confederation of Kansas (CHECK)**. I do not speak for all home educators; however, CHECK is comprised of representatives of thirty-eight local home education support groups throughout the state and, to my knowledge, is the only statewide organization serving home educators.

First, CHECK supports measures that will genuinely improve the public education system and believes that competition within the public system would, in fact, bring about that improvement. CHECK is very supportive of parental choice, as much if not more so than anyone else. Therefore, CHECK fully supports the provision of vouchers for the those families who wish to be involved in government-supervised (accredited) schools. This would place the responsibility for quality and content of education where it belongs: with the parents. It would also reward the schools and teaching methods that attain the best results. This is exactly what taxpayers want and deserve.

However, vouchers are a form of government provision. Just as *public* and *private* are mutually exclusive terms, CHECK takes the stand that for an educational program to remain private, it must not accept public funds. We know that we will retain the choice we now have to the extent that we accept

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responsibility for that choice. Therefore, after much discussion and consideration, CHECK has taken a position solidly opposed to the provision of state funds to non-accredited private schools in the form of vouchers.

It is not our intent to undermine the good intended by HB 2217. We simply do not wish to jeopardize the creative liberty we now have to respond the individual needs of our children by becoming part of the public system.

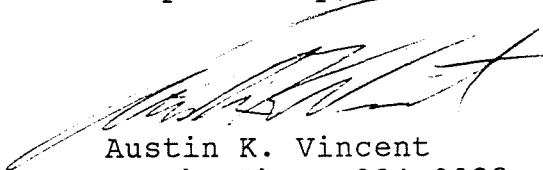
*Our concerns could be alleviated with a simple amendment that would leave the remainder of the bill in tact. On page two, "nonpublic schools" which are accredited by the state are defined on lines 8 and 9. **Lines 10 through 14, which encompass non-accredited schools, should be deleted.***

I do not believe that this distinction would constitute unequal treatment because, as it is now, privately supported schools are not regulated by the state. With state funding comes state oversight. Therefore, this amendment would keep in place the *status quo* in that regard.

It is requested that you have the secretary distribute copies of this letter to your committee members.

Your interest and public service is appreciated. Please feel free to call upon me if you have any questions about this issue or wish to further discuss this matter.

Respectfully,



Austin K. Vincent
Topeka Phone 234-0022

AKV/amv:CK-VOCH5

cc: Sen. Dave Kerr
Rep. Kay O'Connor