

Approved: _____

4/11
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Chairperson Barbara Lawrence at 9:00 a.m. on March 5, 1998 in Room 123-S of the Capitol.

All members were present except: Senator Hensley

Committee staff present: Ben Barrett, Legislative Research Department
Carolyn Rampey, Legislative Research Department
Avis Swartzman, Revisor of Statutes
Jackie Breymeyer, Committee Secretary

Conferees appearing before the committee: Robert Vancrum, Blue Valley USD 229

Others attending: See attached list

Chairperson Lawrence called the meeting to order and introduced Robert Vancrum, who was present to testify on **SB 604--school districts, fees for maintenance of full day kindergarten classes**

The bill would grant any school district that wanted to provide a full day kindergarten the authority to charge up to its actual costs of providing the program, such fees to be treated as reimbursements to the general fund. The program would be voluntary and fees assessed only if the child participates.

Mr. Vancrum was asked what he anticipated the fees would be and he responded that right now the school district is reimbursed at .5 under the school district finance formula. This is half of what the taxpayers are paying for kindergarten; it could be as high as \$1800.

As to what happens in the district to those children of parents who cannot afford to pay, Mr. Vancrum responded that the bill has provided that those children who are on free or reduced lunch will not be charged; they will have the option to attend full-day programs if they wish to do so. (Attachment 1)

Mr. Vancrum was asked if the bill would charge more to those that could pay in order to make the program work for those who couldn't pay. He responded that in listening to the testimony of the kindergarten coalition people, programs in some school districts are using Title 1 funds, some are funding out of the general fund budgets or some other programs.

Mr. Dennis, Deputy Director of KSDE stated that the money would have to come out of the general fund or the local option budget fund, unless it is a group of low income disadvantaged children, then Title 1 could be used. Most will be funded by whatever is a priority within the community; LOB or general fund.

Mr. Vancrum said comparing the results of this bill to the current situation, this probably would result in more children on free and reduced lunches getting served under this program because there might be additional sources of funding. Possibly others might be subsidizing these children to some extent. The district would probably solicit money through its unrelated foundation to help subsidize scholarships.

The Vice-Chairperson noted that KNEA's testimony opposes **SB 604** (Attachment 2) for two reasons, the first being that it would allow districts whose parents can afford the fees to fund the program; and the second being that once a district would be able to charge a fee, that district would not seek funding from the proper source, the state, because it already has the money for the program.

Mr. Vancrum stated that the district would continue to seek state funds. It is probably well justified in the twenty-first century that this program should be provided for all children in the state. His school board feels strongly that it should be the policy of the state to fund full-day kindergarten statewide.

The comment was made that once one sees the product of all-day kindergarten it makes one more of a strong advocate for it.

The Chairperson drew attention to Mr. Grant's testimony in opposition to the bill and stated the hearing was closed on **SB 640**.

Senator Langworthy recommended SB 640 favorably for passage. Senator Bleeker seconded the motion.

The Chairperson called for discussion.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, ROOM 123-S-Statehouse, at 9:00 a.m. on February 5, 1998.

Senator Jones stated that he supports all-day kindergarten and thinks it should be a statewide funded program. He balks at fee funding. Families that can afford it will benefit from it while other families that cannot afford it will not benefit.

The response to the Senator's statements was that this is a motivation to find ways to fund all-day kindergarten. There might be private funds in the community that could be accessed and used as fee funds for programs for disadvantaged children. It allows schools districts to collect fees; there would be opportunity there for private funding, grants and so forth to provide all-day kindergarten.

Senator Jones responded that what would be put into law would benefit one group and not another; that is exclusion. He would oppose it for the same reasons as Craig Grant, KNEA.

Another member of the Committee stated that she had been in a state where individual schools had their own foundations. They are very powerful. The state is quite concerned about the discrepancies in public schools that have their own foundations to support the needs that are being funded through the public education system. She has a great concern about districts being able to develop policies that fit their needs. It is a growing issue when some districts begin to pull away and leave discrepancies between the haves and the have nots. While testimony may have been given in support of all-day kindergarten; once ones own need is satisfied one is less concerned about seeing that other districts' needs are provided. In many parts of the state there will be very few chances for matching funds coming from a small community to help this sort of thing start. This will be one more case of very discrepant needs in a state being filled just because of where one lives and the resources available. Attention should be focused in providing this opportunity for all districts, not in a piecemeal fashion for those districts that have the economics to support it.

Another comment was that the precedent could be set for what else should be funded by the parents. In many districts it would be the parents or nobody in terms of equal opportunity.

In response to another question from a Committee member, Mr. Dennis stated that some school districts may choose to use Title 1 funds for the other half-day kindergarten; that is an option. Most districts are probably using general and supplemental general funds; about 20 percent of the state has all-day kindergarten because of the value of it as heard in the testimony before the Committee. For this 20 percent there are no fees because they do not have the authority to charge fees.

It was asked whether a school has the capacity to set up a foundation and use the money for such purposes.

Mr. Dennis replied in the affirmative and stated the Board of Education would probably have some policies on that. It may be a Board of Education foundation and not an individual foundation. He clarified he meant the local school boards; most foundations that he is aware of are school district foundations, not a school building foundation. Some states have them. In Kansas, there are several school district foundations. The school board can accept gifts from the foundation for use as the donor wishes. This is set in statute. No foundation is needed if someone would donate money.

Mr. Vancrum was asked how many elementary schools were in District 229 and he responded that he would get that information for the Committee. He believes the figure is in the mid twenties.

Mr. Vancrum stated that most schools in his district already have a private program in place; quite a few children are in a school program operated by the YMCA. It is available for those who pay a fee to keep the children in full day. He clarified that this is not day care, but kindergarten, run by a private entity; with some schools it is actually in the school. Right now it is only parents who can afford to pay the fee and do choose to pay the fee.

On being asked the reason for this bill if this is already in place, Mr. Vancrum said that the district feels very strongly there should be a coordinated progression in the educational opportunity offered to these children. Sometimes district teachers are hired, but even when they are there is not continuity in the program.

Mr. Vancrum was asked what other programs were available in his district prior to grade one; if there was Title I, Head Start or some other types of programs.

He responded that they did not have those kinds of programs in his district; the programs in his district are through private educational institutions or the program offered through the YMCA. They do get at-risk dollars and do have reduced lunch children, but no free lunch children. The LOB is 25 percent. He also stated that the bill provides that there will not be a fee charged to those who are on the free or reduced lunch program. There will have to be another funding source for those at-risk children in the district, whether at-risk dollar, LOB or whatever; funds will have to be found from some source.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, ROOM 123-S-Statehouse, at 9:00 a.m. on February 5, 1998.

Several members of the Committee members asked for information on how other districts that have full-day kindergarten in the state are funding it.

The Revisor stated that there are fees authorized for such things as specialized clothing, as for gym, auto mechanic wear and so forth and also fees for book rental. There could be some extraordinary programs before and after school hours. Fees for regular curriculum classes probably could not be done because it would fall under the constitutional prohibition against charging tuition for attending school. The reason this could be constitutional is that kindergarten is not required under our compulsory attendance laws; the constitutional prohibition is against the charging of tuition for required attendance. As long as this could remain voluntary and nondiscriminatory by allowing kids that are required by an IEP or policy under QPA to attend and kids that are authorized to receive free or reduced lunches are exempt from paying the fee, it probably can withstand the constitutional challenge.

The Vice-Chairperson stated that it had been a good discussion and withdrew her motion pending further information. Senator Bleeker withdrew her second.

The Chairperson asked Mr. Dennis, KSDE, if information could be made available on the morrow and he replied in the affirmative, clarifying what was being asked for was funding sources; general fund, supplemental general fund and Title 1. That would take care of approximately 80 percent of the districts.

Mr. Dennis also stated that approximately 20 percent of the districts have some type of program. Using Wichita as an example, Mr. Dennis stated that in some of the very poor, low income school buildings they have it, probably using Title 1 funds. Because of limited dollars, the poor children are usually taken care of first. There are a number of districts that don't have it in all buildings, but have it in a few. They take the buildings with the highest percentage of poor children and try to get the most out of the money.

The Chairperson commented on the information that Dr. Sanders of Tennessee had given at a prior meeting. The children at the higher end of the spectrum are not moving off dead center; they are flat as far as increase in knowledge and grade level. These children also have been neglected. She asked for a show of hands as to how many members could attend at meeting on Friday. She stated the meeting would be upon adjournment or 10:00 a.m. The agenda would be continuation of **SB 604**.

The Chairperson asked the Committee to turn its attention to **SB 444--proprietary schools**. There was some question as to the way the bill was written on whether or not if a school closed, whether the state would be liable to return the unused portion of fees or tuition the student might have paid. There was quite a lot of disagreement about this so the Chairperson asked that the bill be reported back to Committee so the Committee could make it more acceptable in cost savings.

Senator Emert stated that the bill came from the Kansas State Department of Education, but was actually proposed by the owners of proprietary schools to protect students in a number of ways. He has always had a concern with the records of these schools because when a proprietary school closes, a student cannot access his or her transcript or credentials as proof of credit or attendance.

Senator Emert moved to amend **SB 444** on page 12, beginning at line 11, by striking everything in the balance of the section which ends on page 13, line 24 and recommended it favorably for passage. Senator Langworthy gave a second to the motion.

Senator Emert explained that this basically removes the fee and the student protection fund and leaves only record retention.

It was clarified that the bill will deal only with retention of records, but not with the financial loss of the student.

Rod Bieker, General Counsel, KSDE, explained that this included in-state schools, as well as those schools that have home offices in another state, but are operating schools in the state of Kansas. He stated that the message of the bill is that a student should beware of the type of school he or she attends. Check the background of the school to make sure it is solvent because if it is not, the student will have the records, but no money returned.

The motion carried.

The minutes of February 16, 17, 20 and 23 were approved as corrected on a motion by Senator Jones, with a second by Senator Langworthy.

The next meeting is scheduled for February 6, 1998.

TESTIMONY OF ROBERT VANCURUM,
GOVERNMENT AFFAIRS SPECIALIST,
BLUE VALLEY UNIFIED SCHOOL DISTRICT NO. 229

REIMBURSABLE FEES TO
SUPPORT FULL DAY KINDERGARTEN

SB 604
~~HOUSE BILL 2853~~ - FEE BASED FULL DAY KINDERGARTEN

The Blue Valley School District is one of the fastest growing school districts in the State of Kansas because we encompass most of the rapidly developing residential areas in Overland Park and Leawood, Kansas. Most of our families are two wage earners. As such, many of our kindergartners begin instruction in the morning and then go into some kind of day care or private educational facility.

We are certain there is a strong demand for full day kindergarten in our area. Nevertheless, we have no ability to provide full day kindergarten unless the funds are being diverted from some other child's educational experience.

The bill would grant any school district that wanted to provide a full day kindergarten the authority to charge up to their actual costs of providing the program, such fees to be treated as reimbursements to the general fund. The program would be voluntary and fees assessed only if the child participates.

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*Senate Education
Attachment 1
3-5-98*



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 W. 10TH STREET / TOPEKA, KANSAS 66612-1686

Craig Grant Testimony Before
Senate Education Committee
Thursday, March 5, 1998

Thank you Madame Chairman. I am Craig Grant and I represent Kansas NEA. I appreciate this opportunity to present written testimony on Senate Bill 604. I am attending another committee hearing on the department of education budget and cannot attend this session.

Kansas NEA supports funding for full-day kindergarten. Parents often favor a full-day kindergarten which can reduce the number of transitions a kindergarten student would experience in a day. Research also shows that many children benefit academically and socially from participating in full-day programs, especially those students who are economically disadvantaged. Students in full-day programs exhibited more independent learning, classroom involvement, and productivity in work with peers, in addition to higher academic gains.

KNEA strongly supports full-day programs and believes that the state should support local districts' choices to offer full-day kindergarten. It is for this reason that we do not support SB 604. SB 604 would allow districts whose parents can afford the fees to fund the program while districts whose parents could not afford the fee would not be assisted at all. Further, we worry that once a district would be able to charge a fee, that district would not seek funding from the proper source, the state, because it already has the money for the program. It is the disadvantaged students who benefit the most from full-day kindergarten programs and these would be the least able to afford the fees.

For these reasons, Kansas NEA is opposed to SB 604 and would rather this committee support SB 498 which you heard earlier this session.

*Senate Education
Attachment 2
3-5-98*