

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Representative Ralph Tanner at 9:00 a.m. on February 14, 2000 in Room 313-S of the Capitol.

All members were present except: A quorum was present.

Committee staff present: Avis Swartzman, Revisor of Statutes
Ben Barrett, Legislative Research Department
Carolyn Rampey, Legislative Research Department
Renaë Jefferies, Revisor of Statutes
Linda Taylor, Committee Secretary

Conferees appearing before the committee: Representative Ray Cox
Dr. Robert J. VanMaren
Mark Tallman
Craig Grant
Representative Clay Aurand

Others attending: See Attached List

Hearings on **HB 2584 - School districts, fees for maintenance of full day kindergarten classes** were opened.

Representative Ray Cox, sponsor of the bill, introduced Dr. Robert VanMaren, Superintendent of Schools at USD 204, who appeared before the committee as a proponent of the bill. (Attachment 1) Dr. VanMaren stated that his district has been interested for some time in establishing a full day kindergarten program, but the costs would be prohibitive if the schools were not allowed to charge fees to help allay part of the costs.

Mark Tallman of the KASB appeared before the committee as an opponent of the bill. He stated that KASB cannot support **HB 2584** because of its implications on school finance. (Attachment 2) He stated that while KASB recognizes the advantages of full day kindergarten classes, they feel this should be funded by the state.

Craig Grant of the KNEA appeared before the committee as an opponent of the bill. (Attachment 3) Mr. Grant stated that the KNEA also supports full day kindergarten, but believes it should be funded by the state. He stated that while KNEA supports the intent, they cannot support the bill because of its impact on school finance.

Hearings on **HB 2584** were closed.

Representative Tanner asked Representative Morrison to present his report on the KAN-ED subcommittee. Representative Morrison stated that the House Utilities Subcommittee on KAN-ED met with his committee to consider the bill. Their goal was to bring together all of the participants in order to produce a workable and acceptable bill. Representative Tanner stated that this bill is vital to the educational opportunities of Kansas Children.

Hearings on **HB 2862 - School district, nonresident pupils, transportation** were opened.

Representative Clay Aurand appeared before the committee as a proponent of the bill. He presented written testimony supplied by the Mike Boeh family explaining why they believe the bill is necessary.

Representative Aurand then asked the committee to favorably consider the bill. (Attachment 4)

Hearings on **HB 2862** were closed.

Representative Mason moved to pass **HB 2862** out to the Consent Calendar. Representative Lloyd seconded the motion. The motion passed.

HB 2388 - Private elementary or secondary school students, participation in extracurricular activities

Representative Faber moved to pass **HB 2388** favorably. Representative Thimesch seconded the motion. The motion failed.

The next meeting is scheduled for February 15, 2000.

The meeting was adjourned at 10:45 a.m.

HOUSE COMMITTEE ON EDUCATION

GUEST LIST

DATE: February 14, 2000

NAME	REPRESENTING
Robert J. Van Maron	USD #204
C. B.	USD #204
Ray Co	397 th DIST
Craig Grant	HWEA
Diane Gjerstad	Wichita Public Schools
Lynne K. Cole	San Antonio Office
Buddy Scharf	DISC
Don Hummer	DISC
Max Sullivan	DISC
Bruce Roberts	DISC
Anne Massey	constituent
Jacquie Oakes	SQE
Mark Tallman	KASB
John D. Pingar	SITA
Tom Gleason	Independent Telecom Group
Bruce Dimmitt	Kansans for Life
Jim Gualley	USD #512

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**TRANSCRIPT OF TESTIMONY BEFORE THE EDUCATION SUBCOMMITTEE OF
THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES
REGARDING HOUSE BILL No. 2584**

Testimony of Dr. Robert J. VanMaren, Superintendent of Schools of Unified School District No. 204, Wyandotte Co. Kansas presented February 14th, 2000:

Mr. Chairman, and Members of the Committee: On behalf of Unified School District No. 204, we thank you for giving of your time to hear our testimony on House Bill No. 2584.

This bill would permit school districts to charge tuition for an additional one-half day of kindergarten without having the tuition income reduce the district's general fund expenditures for other programs.

Our District has been interested for some time in the establishment of an all-day kindergarten. Statistics have shown conclusively that the extension of Kindergarten from its traditional one-half day to a full day results in observable academic and social benefits. A study conducted during the school year 1997-1998 using the *Brigance Reading Readiness Screen*¹, which was given to kindergarten children before and then after the year of kindergarten, found that children who attended half day kindergarten only gained an average of +9.2 points on a 100 point scale. Students that had attended all-day kindergarten gained an average of +39.3 points on a 100 point scale. This is an increase of 30 points on a 100 point scale over the half day kindergartners. A compendium of many articles and studies that come to this same conclusion can be found at <http://ericps.ed.uiuc.edu/ece/pub/digests/1995/drkind95.html>.

In February of 1999 our District conducted a survey to determine whether parents would be receptive to all-day kindergarten even if they had to pay for the extra one-half day. The survey was taken during February parent-teacher conferences. There were 491 responses to the survey, and 80% of the responses indicated that the parents would place their children in an all-day kindergarten if it were offered.

The District then did a cost analysis to determine the expense of the additional one-half day. Based on the projected utilization indicated by the survey, there could well be as many as 120 kindergartners participating which would require the use of three additional classrooms for a full day. It would necessitate three additional full time teachers each of which would cost the District approximately \$35,000 per teacher for salary, salary related expenses and supplies. The total cost to the District would be over \$75,000 not counting the cost of the extra classrooms. If, however, the District could charge tuition at a rate near the day care rate, the extra income would pay for the cost of the staffing.

We didn't proceed with the plan however because the present school funding law does not permit the school district to take advantage of the tuition. Under present law, even though the District, for example, received enough tuition to offset the staffing cost, we would not be allowed to raise our General or Supplemental Fund budget a dime. Therefore the amount of money we spent on the full day kindergarten would be taken away from other District educational programs. We simply couldn't afford to do this.

House Bill No.2584 would remedy this problem in a simple, fair and equitable way at no cost to the State. It would permit the District to take advantage of the tuition income by allowing the District to, in effect, reduce the District's General Fund expenditures for the costs directly attributable to the additional one-half day of Kindergarten by the amount of tuition income that the District receives. The Bill is equitable to all children because it does not allow the District to receive tuition for children that qualify for Federal Free or Reduced Lunch Program, or children that would otherwise be entitled to these extended educational benefits by other Federal or State mandated programs.

This Bill does have precedent. K.S.A. 72-8236 permits unified school districts to do this exact same thing for fees charged by school districts in school district run child care centers.

We again thank you for giving us the opportunity to present testimony on this Bill. If passed, it would serve the children of Kansas well by giving them a better start at the all important beginning of their academic life.

Respectfully submitted,
Dr Robert J. VanMaren

¹This is a well recognized testing tool used to assess student strengths weaknesses and achievements.

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Attachment 1



TO: House Committee on Education
FROM: Mark Tallman, Assistant Executive Director for Advocacy
DATE: February 14, 2000

RE: Testimony on H.B. 2584 – Optional Fees for Full Day Kindergarten

Summary of Bill:

- Allows districts that maintain full day kindergarten classes (of at least six hours per day) to charge fees for those classes.
- Such fees may only be collected to offset the costs of providing full day kindergarten classes that exceed the portion of those classes financed by the school finance system.
- Fees may not be charged to: (1) pupils who are required to attend such classes by law or the local board, (2) special education students required to attend such classes by their IEP, or (3) students who are eligible for free and reduced price meals.

KASB Position:

We support the fact that the provisions of this bill are not mandatory. Although we do not believe that all day kindergarten should be required in all cases by every district, we support funding for districts that choose to provide such programs because research strongly supports the academic benefits of such programs.

However, we cannot support this bill because of its implications on school finance. The benefits of early childhood programs are well documented. If a public school district chooses to offer such programs – and we believe that vast majority of boards would if funding permitted – then the state should finance these programs under its constitutional duty to finance a suitable education for all children.

This bill represents a difficult choice for supporters of these programs. Because the Legislature has failed to approve funding for full day kindergarten, some believe that a program financed by fees is better than no program at all. At risk children, who are very often from lower income, disadvantaged backgrounds, are most in need of such programs. H.B. 2584 would allow school districts to collect fees to support these classes, but prohibit charging fees to lower income students. Optimistically, this might allow some districts to expand services to lower income children by creating all day kindergarten programs partially financed by fees from middle and upper income students, making possible services that are currently unavailable because of limited budgets.

But upon careful consideration, we do not believe we can support this concept, however well intentioned, for several reasons.

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Attachment 2

First, because the clear evidence that early invention is important makes this a state responsibility, not a local or parental responsibility. If the state believes in equal educational opportunity and high levels of achievement for all, it should match that goal with resources. Allowing districts to charge fees is an easy way out.

Second, the burden of this approach will fall most heavily families of modest means who are not poor enough to qualify for free or reduced price meals, but for whom the cost of all day kindergarten fees would still be a difficulty. Fees would likely discourage many of these families from taking advantage of the program, even if their children would benefit.

Third, this program would have very different implications among districts. It is critically important to remember that student poverty is not equally distributed among districts. About 25% of students in Kansas qualify for free lunch. Including those eligible for reduced prices increases the number to about one-third – a disturbing number considering the strong economy the state has enjoyed for several years. However, many students attend districts that are either high above or far below the state average. One quarter of Kansas students attend districts where less than 10% of their classmates are eligible for free lunch, but another quarter attend districts where over 36% of students qualify. Many of have even higher percentages: Wichita over 50%, Topeka over 60% and Kansas City 70%.

Consider what this means for fee-based kindergarten. For districts at one end of the spectrum, less than 10% would be excluded from fees based on income, so the additional costs of such a program could be shared by the remaining 90% of students who could be assessed fees. But in those districts with much higher number of poor students, the cost of the program would be born by the proportionately smaller number of students eligible to pay fees. That means such fees would either need to be higher – and further discourage participation – or the difference would have to be made up by transfers from other budget areas.

In other words, the more lower income students (or special education students who also could not be charged fees) a district has, the less it will benefit from charging fees. Yet these are precisely the districts which are most likely to need to offer such programs. We believe that would weaken funding equity across Kansas.

Conclusion

KASB strongly urges the committee to respond to the needs of children and families for all day kindergarten programs by enacting legislation to provide state funding for these costs. That would be far more beneficial than trying to meet these needs by fees provided in H.B. 2584. This bill has an admirable goal: more services for children. But there are better ways to achieve that goal.



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

Craig Grant Testimony Before
House Education Committee
Monday, February 14, 2000

Thank you Mr. Chairman. I am Craig Grant and I represent Kansas NEA. I appreciate this opportunity to testify on House Bill 2584. We applaud the intent of this bill to promote full-day kindergarten.

Kansas NEA supports funding for full-day kindergarten. Parents favor full-day kindergarten. A full-day program can reduce the number of transitions a kindergarten child will experience in a day. Research 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 district's and/or school's choices to offer full-day kindergarten. That is why we supported full-day kindergarten bills many times over the years. But it is just this support which gives us pause about HB 2584. We worry that once a district would be able to charge a fee, that district and the parents would quit seeking funding from the proper source – the state – because it can get the funding. It is the disadvantaged students who benefit the most from full-day kindergarten. If these children are economically just above the poverty line or whatever line we choose, their parents would find it difficult to pay for these services. Our concept of a free appropriate education for all Kansas children would be jeopardized.

We appreciate your listening to our concerns. We hope that the state will “step up to the plate” and fund all-day kindergarten for all students. Thank you for your consideration of our thoughts.

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Attachment 3

State Capital Bldg.
Rep. Shari Weber
Room 303 N
Topeka, Kansas 66612
Tel. 785) 296-7674

Feb. 19, 1999

In reference to Senate Bill #17 (Ten Mile Bus Law), the Mike Boen (Bay) family of rural White City will give testimony to a unique loophole that needs to be addressed. Currently as parents of three school-age children, we feel that this bill is important. We can now choose a school closer to our home in these times of constant going.

We live in District #417, better known as Council Grove. It consists of three small rural elementary schools along with a K-8 school in Council Grove. These four schools then feed (bus) into the District high school in Council Grove. Because of USD reorganization, Wilsey elementary lost their 7th & 8th grades which are bused to Council Grove, 11 miles away. Dwight houses K-4 and the Alta Vista school has grades 5-8. Children are bused to their home attendance centers and then bused to their appropriate school within the district. Dwight is 7 miles from Alta Vista and 18 miles from Council Grove. Alta Vista is 15 miles from Council Grove.

The three schools that our children would have to attend are 5, 12 and 23 miles from our home. There are other families that live as far as 30 miles away from a district center and whose children are attending three different schools within the district. They also would be closer to an out-of-district school. This new transportation law permits families to choose another school district with transportation provided.

This district decision to split grades in different communities has forced us to find a better solution for our children. We wanted our children to be together in one school, instead of the possibility of three different locations, which would make it very difficult to function as a family unit.

This is why and how the Senate Bill #17 has helped our family to stay together in one school. There is a unique loophole, however, that needs to be adjusted to accommodate the family transportation needs. According to this law, not all of our children qualify for out-of-district busing. Our district, by law, has released

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two of our children because White City (out-of-district) was closer than Alta Vista for grades 5-8(in district). But our third child was denied because he is closer to Dwight for grades K-4(in district) than White City (out-of-district).

Therefore, the White City (Dist.#481) bus was able to drive into our yard, to our front step and pick up our two children that qualified by law. The third child, not able to ride the same bus by law, is transported by a parent, following the bus out of our yard, to the nearest pick up point at the district boundary line which is two miles from our home. This is the loophole that is unique.

We feel this bill (Senate Bill #17) is needed by many families who live especially in rural areas, many miles from their district attendance center, but who reside closer to an out-of-district school. Because of our unique situation, we would like to see Senate Bill #17 be reworded to say that if one family member qualifies, then all family members would qualify for out-of-district transportation.

Thank you for allowing our family to express our concerns about the Senate Bill #17. We hope this loophole will be addressed and corrected, so that our needs as well as others, will be met, regardless of our choice of school district.

Sincerely,



The Mike Boeh Family



Concurrent, Dual Credit Classes Approved; Prairie Heights Official For AV/Dwight

Request by Kellie Boeh that her kindergarten child be picked up by the White City bus that will transport her other two children, a matter that was a tabled agenda item from the May school board meeting, was denied.

At the May meeting of the Board, Kellie Boeh was granted permission under the new "Ten Mile Bus Law" for the White City bus to pick up her two children that would otherwise have to attend the Alta Vista Middle School but tabled an additional request that the White City Bus also be permitted to pick up a 5-year-old son, who otherwise would be required to attend the Dwight school, which would be under the 10-mile option, in order to keep the family together.

Mrs. Boeh was present Monday night with her kindergarten son and presented to the board members copies of a letter she had received from Board Member Colleen Anderson. Supt. Daryl Johnson objected, said the letter was not considered public information and requested that it be submitted in his office the next day.

Mrs. Boeh countered that she believed "You owe me a bit of time," and Chairman Charlie Aikens ruled in her favor. The six-page letter said, "We have, and will continue to have, bus service available for the families residing within the boundaries of the district. Participation in the use of the service is strongly encouraged.

"If the state had required the OPTION that they are allowing, I would heartily endorse allowing your youngest child to go with the siblings. The decision to request movement to another district is YOUR choice. As a resident of USD 417, you, not the board of education, have chosen to "split the family." If the state had REQUIRED the change, I want you to know that I would do all in my power to make it possible for the family unit to stay together."

Remainder of the letter dealt largely with intended program improvement and the hope that Mrs. Boeh would consider this "educational opportunity" more important to your children's education than the considerations you have mentioned in previous letters to the board."

Mrs. Boeh asked the board not to split her family, particularly when the family lives only one mile from the district border and the White City bus will be in her lane anyway. "I ask that you have a little heart," she said.

The superintendent stated he had conferred with the District's attorney and was advised that granting the request might cause "a can of worms" in the future if other such requests had to be considered. Chairman Aikens advised that the legal ramifications override "our personal feelings."

A 1997 Kansas law permits transportation for out-of-district students who live 10 miles or more from the school which they attend in the district in which they live and who live closer to the out-of-district school they want to go to. Kellie Boeh, resident of the Dwight area, was present to request that White City transportation be allowed to come into USD 417 to pick up two children, Preston and Whitney Boeh, who under the USD reorganization plan would otherwise attend Alta Vista Elementary at a greater distance, and this was approved.

She also asked that White City be allowed to pick up a kindergarten child who would not be automatically eligible under the law because his class would be at Dwight, which would be closer. She asked that this be granted on the basis of compassion for family.

The superintendent advised that this could open "a can of worms" around the borders, and concern was shown by board members what it might mean for attendance at high school, which would be at a greater distance for some than it would be

to White City. The matter was tabled until the next meeting to permit the district's attorney to be consulted.