

Approved: 3/29/00
Date

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 23, 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 Shari Weber
Representative Dave Gregory
Representative Phill Kline
Representative Jonathan Wells
James Crowder
Sharon Lakey
Mulveena Davis

Others attending: See Attached List

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

Representative Faber moved to pass **HB 2584** out favorably. The motion died for lack of a second.

Hearings were opened on **HB 2953 - Not attending school not a reason for a child to be a child in need of care**.

Representative Shari Weber appeared before the committee as a proponent of **HB 2953**. (Attachment 1) She stated that truancy has been identified as a major problem for all teenage youth and often leads to other juvenile offenses. She further stated that state policy and school district practices related to truancy need legislative clarification. She urged passage of the bill.

Representative Dave Gregory also appeared before the committee as a proponent of **HB 2953**. (Attachment 2) He stated that, while truancy cheats children of a good education, it should not be used as a tool to remove the child from his or her home. He asked the committee to ensure that children and their parents will not have to fear a removal from their home over truancy issues.

Hearings on **HB 2953** were closed.

Chairman Tanner entertained motions. None were made. Representative Ballou requested that the committee have the bill "blessed" by leadership.

Hearings on **HB 2946 - School district finance, special needs local enhancement budgets** were opened.

Representative Phill Kline appeared before the committee as a proponent of **HB 2946**. (Attachment 3) He presented the committee with a brief outline of the bill's content. He stated that, since the bill meets all constitutional parameters, the question becomes one of fairness. He further stated that the bill will have a varied impact— for many districts the exercise of a special needs local enhancement budget will decrease the disparity in state funding in actual dollars. He urged passage of the bill.

Hearings on **HB 2946** were closed.

Representative Kline moved that **HB 2946** be passed out favorably. Representative Storm seconded the motion. The motion passed.

Hearings were opened on **HB 2220 - Employment security benefits for school bus drivers** were opened.

Representative Jonathan Wells appeared before the committee as a proponent of **HB 2220**. He stated that the bill is needed to ensure that school districts will be able to keep good school bus drivers.

Also appearing before the committee were James Crowder, Sharon Lakey, and Mulveena Davis, school bus drivers for Wichita Public Schools. They also urged committee members to consider the bill favorably.

Hearings on **HB 2220** were closed.

The next meeting is scheduled for March 1, 2000.

The meeting was adjourned at 10:50.

**HOUSE COMMITTEE ON EDUCATION
GUEST LIST**

DATE: February 23, 2000 9:00 a.m.

NAME	REPRESENTING
Flo Peterson	HR Shultz-Lindsborg
Stacey Farmer	KASB
Doug Bowman	CCECDs
Diane Gjerstad	Wichita Public Schools
Denise Ayt	USA-KCK
Brad Clout	FHSU
Joseph Dake	SQE
Don Rye	Kaw Valley 9KD 321
Bill Brady	② Schools for Fair Funding
Sal Tayani	Dept. of ED ✓
Jennifer Owen	Federico Consulting
Joni Allen	KEC = KEKC
Mike McVay	Sprint
Bob Vancoum	Blue Valley USD 229
Denise Ayt	USA / KCK /
Rob Haljes	KT/A

STATE OF KANSAS

Rep. Shari Weber
934 Union Road
Herington, KS 67449
(785) 258-3526



Capitol Building
Room 303-N
Topeka, KS 66612
(785) 296-7674
weber@house.state.ks.us

HOUSE OF REPRESENTATIVES
68TH DISTRICT
Assistant Majority Leader

TESTIMONY ON HB 2953
EDUCATION COMMITTEE
February 23, 2000

Thank you, Mister Chairman and members of the committee, for the opportunity to appear before you today in support of House Bill 2953. My interest in the truancy issue comes from my involvement with the juvenile justice system through my work with the Joint Committee on Corrections and Juvenile Justice Oversight.

I became interested in this issue after the Committee heard testimony that truancy is one of, if not the premier, indicator of later juvenile criminal behavior. Education is one of the most important indicators of success/competency. Failure in late elementary school and failure to complete the education process is a serious problem and one of the risk factors. Educators tell us that they are already aware of family difficulties of their students as early as first, second and third grades. Data gathered by community planning teams reveals that the juveniles in detention centers function at an average of two or more grade levels below their peer group. Information also reveals that juveniles who drop out of school have a prior history of truancy. Principals and superintendents note that it is not uncommon for juveniles with truancy problems to be significantly behind their peers academically, resulting in eventual drop-out of school.

Truancy has been identified as a major problem for all teenage youth and often leads to other juvenile offenses. Truancy is defined as follows: 5 days of unexcused absences from school per semester, or 3 consecutive days of unexcused absences, or 7 days of unexcused absences per school year. **Unexcused** is defined by school personnel. Since the Kansas

House Education
2-23-00
Attachment 1

State Board of Education does not have a written policy on truancy, only a few parameters, written in the statutes, exist for local school districts. Every district's personnel, law enforcement and county/district attorney's office may treat the issue of truancy differently.

I feel that state policy and school district practices related to truancy need legislative clarification. I support the transmission of truancy notifications to the juvenile intake and assessment programs in each judicial district. The intake and assessment process is the front door to the juvenile justice system. This locally controlled and operated entity will provide a positive means to address truancy problems early, in the light of family services available via intake and assessment.

Thank you for your time and favorable consideration of House Bill 2953.

Sincerely,


Shari Weber

DAVE GREGORY
REPRESENTATIVE, NINETY-FOURTH DISTRICT
632 N. VALLEYVIEW
WICHITA, KANSAS 67212
(316) 773-2405
OFFICE:
STATE CAPITOL, 156-E
TOPEKA, KANSAS 66612-1504
(785) 296-7659



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
TAXATION
KANSAS 2000
JUDICIARY

**Testimony before the Education Committee On Truancy
HB-2953
By Rep. Dave Gregory
February 23, 2000**

1. If your child skips school, is that a good enough reason for S.R.S. to come into your life and remove that child from your home? No.
2. Is it a good enough reason to have the government start an investigation to see if you are a good parent? No.

Although truancy cheats our youth of a good education, it should not be a tool that threatens the irreparable harm that occurs to children when you simply threaten to remove the child from the parents or the intense mental harm caused by removing a child from their parents arms.

Truancy is terrible, but removing a child from the home can do significantly more damage than the root problem. As the old adage goes, the medicine is worse than the disease.

HB-2953 removes truancy as a reason for removing a child from the home and directs reports of abuse to be directed to the intake and assessment program in the school district.

This past year S.R.S. investigated 2,475 students for not attending classes. S.R.S. does not track how many students were removed from their homes for truancy, but the number is likely to be significantly smaller.

Some people might tell you that truancy may be an indicator of other abuse problems. Simple being an indicator of other possible problems does not establish sufficient cause that truancy will in fact result in those problems. S.R.S. will tell you that some abused children will never miss a day of school, because those children see school as a safe haven from abuse.

S.R.S. has another bill working in the Senate that moves truancy from a Child In Need of Care (CINC) to a new community based service solution. This bill codifies and strengthens the S.R.S. proposal to remove truancy cases from the Child In Need of Care status.

I ask your support to insure children and their parents will not have to fear a removal from their home. I ask you to consider HB-2953 favorable for passage.

Representative Phill Kline
18TH DISTRICT SHAWNEE/LAKE QUIVIRA
Room 115 South, State Capitol Building

Dear Chairmen Tanner and Members of the Committee:

Thank you for the opportunity to appear before you in support of HB 2946. This bill is vitally important to numerous school districts in our state and will allow much in the continued effort to maintain and enhance excellence in the education of Kansas school children.

Outline of the Bill

First let me provide you an outline of the bill's contents. The bill will allow the local school board of education, subject to voter approval, to adopt a Special Needs Local Enhancement Budget if one of several conditions are met. These conditions, as outlined in the bill, reflect extraordinary needs or support for locally initiated innovations to develop excellence in core curriculum areas. Specifically, the SNLEB budget can fund an additional 10% if any of the following conditions are met:

1. the district is experiencing declining enrollment;
 1. the district is currently at the 25% local effort limit; or
 2. the board has determined that the current budget expenditures are not sufficient to meet any of the following needs – a) implementation and maintenance of innovative programs and school reform efforts; b) maintenance of classes having a pupil/teacher ratio of note more than 17:1 for pupils enrolled in and attending kindergarten or any of grades one through three; c) maintenance of early childhood education programs for prekindergarten-aged pupils; or d) implementation and maintenance of excellence academies in mathematics, science and language arts.

Furthermore, the bill allows the school board to submit to the voters the question of whether the SNLEB could be financed through a local sales tax and the SNLEB is equalized.

This Bill Meets Educational Funding Needs While Promoting Locally Controlled Innovation and Enhancing Local Input

Of vital important to educational quality is supporting local initiative and local input. All indications are that excellence in education is established where parents, teachers and local administrators have and exercise local authority, input and decision making. This bill, I believe, helps correct a current imbalance in today's funding mechanism. Prior to 1992, the state essentially controlled 45% of the Kansas education dollar. Many argued, and perhaps rightfully so, that this funding method combined with local wealth limits on funding resulted in unacceptable inequities.

The remedy for this problem – the 1992 finance bill, however, created a new host of problems. Specifically, the state now controls close to 80% of the educational dollar and

House Education
2-23-00 1
Attachment 3

local districts are strictly capped on local investment, despite a desire and need to have greater local flexibility.

Furthermore, the presumption that the school finance formula results in “equal educational opportunity” is flawed as evidenced by the range of state aid and the constant changing of the formula. Many of the districts which have maximized the allowable local investment are districts that reside on the low end of state aid. Now those districts are capped even when facing severe budgetary problems. For example, the Shawnee Mission School District is now experiencing declining enrollment. Over the past three years, only the Kansas City Kansas school district has lost more students. As a result, the districts receive less state aid than before. Some may argue that the district should reduce expenditures as a result of the enrollment decline, however, in large districts the decline is not sufficient in any one school building to justify radical budget reform. In the Shawnee Mission District the decline averages less than 5 students for each building.

The bill also allows local school boards and patrons to exercise creativity and innovation and to bring those ideas to their local voters. This provides a meaningful voice to all concerned with education while recognizing that all creativity does not emanate from Topeka.

The Bill Does Meet Constitutional Parameters

In 1994, the Kansas Supreme Court clearly stated that our constitution requires “adequate” educational opportunity for all Kansas school children. The court expressly rejected the argument that “equal” education is required, rejecting the arguments detailed in Shawnee County District Court Judge Bullock’s informal written opinion regarding school finance. In fact, while rejecting the Blue Valley School District’s argument that the strict limitation placed on local investment was unconstitutional, the court stated that once adequate funding is provided to school children in Kansas, the decision whether to allow for limited or unlimited local funding was a political decision; not a constitutional requisite. The amount of funding at the local level, when compared with funds available to all districts, can be evidence of what is “adequate” in educational funding; but the fact that some districts have greater local funds available does not call into question any claim of inherent inequity.

So in essence, the question becomes one of fairness, rather than a constitutional concern. This bill will truly have a varied impact – for many districts the exercise of a SNLEB will decrease the disparity in state funding in actual dollars. As mentioned, many of the districts currently limited in local investment receive at the lower end of state aid. Some districts will be able to enhance a generally generous state aid package. In all events, local district patrons, school boards and patrons will have much greater flexibility in meeting locally unique needs and engaging in innovative efforts to improve educational quality.

Thank you for your consideration and I look forward to your questions.

Rep. Phill Kline
18th District