

Approved: 1/24/01
Date

MINUTES OF THE HOUSE K-12 EDUCATION COMMITTEE.

The meeting was called to order by Chairperson Ralph Tanner at 9:00 a.m. on January 16, 2001 in Room 313-S of the Capitol.

All members were present except:

Committee staff present: Ben Barrett, Legislative Research
Carolyn Rampey, Legislative Research
Avis Swartzman, Revisor of Statutes
Ann Deitcher, Committee Secretary

Conferees appearing before the committee: Natalie Haig, Counsel to the Governor
Mark Tallman, Asst. Exec. Dir. for Advocacy, KASB
Diane Gjerstad, Wichita Public Schools

Representative Tanner introduced Dale Dennis, Deputy Commissioner of the Department of Education who in turn introduced, Janet S. Lewandowski of Maize USD 266, 2001 Kansas Teacher of the Year.

Also present were the 2001 Regional Teachers of the Year: Sue Boldra, Hays USD 489; Hildie E. Brooks, Manhattan USD 383; Mary Etta Copeland, DeSota USD 232; Jan Dicker, Lawrence USD 497; Vickie Feller, Wichita USD 259; Carol Panzer, Lakin USD 215 and Renita K. Ubel, Ottawa USD 290.

Each took a few minutes to speak to the Committee of their dedication to teaching as well as their goals for the future in education.

The Chairman thanked them for being present at the Education Committee meeting and thanked them for being what they are.

Natalie Haig, Counsel to Governor Graves, spoke to the Committee requested a bill that would revise the requirement in the present bill that pupils who are expelled or suspended, lose their driving privileges for carrying a firearm to school. The present law requires that school officials report the infraction to the Division of Motor Vehicles.

The motion to receive this bill conceptually for action by the Committee was made by Representative Wells and seconded by Representative Mason. The motion carried by a voice vote.

Mark Tallman, Assistant Executive Director for Advocacy, requested the introduction of bills. (Attachment 1).

Representative Lloyd made the motion that these HB 2181, SB 155, 225 and 3092 be taken under one heading for matters of potential action. The motion was seconded by Representative Mason and passed on a voice vote.

It was moved by Representative Tomlinson with the second made by Representative DiVita that the amendment to this bill stating that the infraction be reported to the Division of Motor Vehicles by a law enforcement agency be recommended for introduction. The motion carried on a voice vote.

It was moved by Representative Tomlinson and seconded by Representative Wells that an amendment be made that would require changes in school district boundaries be approved at least 1 year prior to the beginning of the fiscal year. The motion carried on a voice vote.

CONTINUATION SHEET

Diane Gjerstad, representing Wichita Public Schools requested an introduction of bills. (Attachment 2).

Representative Lloyd moved and Representative Peterson seconded the introduction of KSA 72-6409 and KSA 72-8187 to reflect the addition of "Liberty Juvenile Services and Treatment":. The motion carried on a voice vote.

Representative Loganbill moved and Representative DeCastro seconded the request to permit multiple count dates for the purpose of counting special education students on December 1 and the end of June. The motion carried on a voice vote.

It was determined that the further suggestion of a state mandate to provide special education services to age 21, beyond the federal mandate of 18 be held for later consideration.

It was moved by Representative Reardon and seconded by Representative DeCastro to approve introduction of the lease purchase statute to permit school districts to enter into long-term lease arrangements. The motion carried on a voice vote.

Representative Tomlinson made the motion requesting that "stun gun" be added to the list of weapons not allowed in school. Representative Lloyd seconded the motion which carried by a voice vote.

Dale Dennis told the Committee of five items having to do with schools that he asked to be repealed because they were outdated.

Representative Phelps made the motion that the Committee accept these repealers as bills for the Committee. The motion was seconded by Representative Williams and the motion carried on a voice vote.

The Chair announced that he would appoint two sub-committees on the following day. Representative Lloyd would chair the Accountability in Public Schools Sub-committee and the Sub-committee on School Financing would be chaired by Representative Tomlinson. He asked for those interested in serving on either sub-committee get in touch with either Chair or with Representative Reardon, if they were a member of the minority party. There would be 11 members on each sub-committee.

Representative Ostmeyer asked to be excused from attending the meeting of January 17. He would be on an agricultural tour.

The meeting was adjourned at 10:40 a.m. The next meeting will be Wednesday, January 17, 2001.



TO: House Committee on Education
FROM: Mark Tallman, Assistant Executive Director for Advocacy
DATE: January 16, 2001

We respectfully request introduction of the following bills:

School Governance and Improvement:

- School boards should be given broader powers of local control to foster innovation, test new ideas and address local needs.

We request the introduction of H.B. 2181 from 1999 as a new bill.

- School boards should be given the authority to create local charter schools that are exempt from state laws and regulations concerning operational mandates.

We request the introduction of S.B. 155 from 1999 as a new bill.

- School boards should be given authority to terminate tenured teachers for good cause, based on evidence and subject to review by the court system.

We request the introduction of S.B. 225 from 1999 as a new bill.

- School board members should be required to receive a minimum number of hours of training as approved by State Board of Education.

We request the introduction of S.B. 3092 from 1992 as a new bill.

Other Issues:

- The student suspension/expulsion act should be amended to remove the requirement that the division of motor vehicles be notified in certain cases. (This would avoid violations of the federal student privacy act.) If the legislature desires to maintain the suspension of a driver's license as a penalty for acts at school, it should result from conviction in the juvenile justice system.

We request the introduction of new legislation that would repeal this act. We would consider alternative notification methods to impose penalties as noted.

- State law should be amended to require that any change in school district boundaries should be approved at least twelve months prior to the beginning of the fiscal year in which it is to take effect, unless otherwise agreed by the districts.

We request the introduction of new legislation, as attached.

House Education Committee

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Attachment # 1-1

KSA 72-7103 (needs no amendment)

72-7103. All transfers of school territory shall be effective on the June 1 following the date of such transfer, except as otherwise provided by this act. (a) The territory transferred and the taxable tangible property therein shall be subject to taxes levied, except for bonds and other indebtedness incurred theretofore, by the receiving district as of the last day of December of the year preceding such first day of June, and (b) for election purposes the transfer of school territory shall be effective on the date specified in the transfer order of the state board of education.

History: L. 1967, ch. 368, § 3; L. 1968, ch. 126, § 1; March 23.

KSA 72-7108 be amended as follows:

Transfers of territory from one unified district to another unified district shall be made only as follows: (a) Upon the written agreement of any two boards approved by the state board of education, or (b) upon order of the state board after petition therefor by one board and a public hearing thereon conducted by the state board of education. ~~The effective date of any such transfer shall be the date of approval thereof or order therefor issued by the state board of education or the July 1 following.~~ **The effective date of any such transfer shall be included in the state board approval thereof or order thereof. Unless otherwise agreed by the school districts and approved by the State Board, any change in school district boundaries pursuant to the provisions of this act shall be approved at least 12 months prior to the beginning of the fiscal year in which the change of boundaries will take effect.** Notice of the public hearing on such a petition shall be given by publication by the state board of education for two consecutive weeks in a newspaper of general circulation in the unified district from which territory is to be transferred, the last publication to be not more than 10 nor less than three days prior to the date of the hearing. The notice shall state the time and place of the hearing and shall give a summary description of the territory proposed to be transferred. Within 90 days after receiving an agreement or, if a public hearing is held, within 90 days after the hearing, the state board of education shall issue its order either approving or disapproving such transfer petition or agreement, or approving the same with such amendments as it deems appropriate. Whenever a petition for transfer of territory has been denied by the state board of education, no petition for transfer of substantially the same territory shall be received or considered by the state board of education for a period of two years.

History: L. 1963, ch. 393, § 25; L. 1965, ch. 410, § 6; L. 1967, ch. 400, § 1; L. 1968, ch. 394, § 1; L. 1969, ch. 346, § 1; L. 1970, ch. 290, § 1; L. 1988, ch. 356, § 280; L. 1989, ch. 283, § 14; L. 1999, ch. 165, § 13; May 20.

2001 Policy Priorities

Approved by the KASB Board of Directors
December 2000

I. Kansas Legislature

A. School Finance. KASB supports changes in the state school finance system as proposed by the School Finance Coalition to meet the following objectives:

1. All districts must be able to provide competitive salaries and benefits in order to attract and retain high quality employees and to provide them the material support necessary to do their jobs.
2. All districts must receive full funding for the mandatory costs of special education services.
3. All children must have access to early education programs to help them begin schooling on a more equal basis. All children with special needs must receive additional educational support and assistance to reach academic standards.
4. All districts must be able to implement the use of new learning tools and strategies.
5. All districts must be able to provide a safe environment conducive to learning.

B. School Accountability. KASB supports school accountability based on continuous improvement of student academic achievement, including consequences for school districts that fail to improve or maintain high levels of achievement after adequate time and resources have been provided.

C. School Board Authority. KASB supports expanding the authority of local boards to operate public schools; including broader powers of local control, the ability to establish education programs exempt from traditional regulations on operations, and restoring authority to make final decisions in teacher terminations. KASB also supports mandatory training programs for local school board members.

(KASB will propose four bills in this area. See attachment)

D. Weakening Public Schools. KASB opposes legislation that would weaken the public responsibility to educate all children under the oversight of both state and local elected officials. Specifically, KASB opposes both public funding of private schools that are not subject to the same legal requirements as public school districts, and any authority to operate charter schools without approval of the school board elected by that community.

E. School District Structure. KASB supports legislation that would assist districts in cooperative efforts to improve efficiency and academic quality, and to address the problems of declining enrollment. KASB opposes legislation that would mandate involuntary consolidation of school districts.

II. State Board of Education

A. School Accreditation. KASB supports improvements in the state system of school accreditation and accountability in the following four areas:

1. Strengthen the role and responsibilities of the local school board in the school accreditation process and increase flexibility for local school boards.
2. Reduce paperwork and costs by focusing on student achievement measures in accreditation decisions.
3. Make student achievement indicators more meaningful for students and more reflective of what students have actually learned.
4. Provide meaningful consequences for school districts when student achievement fails to improve or be maintained at high levels.

B. Teacher and Administrator Training. KASB supports initiatives to address the following objectives:

1. Develop strategies to assist local school districts in growing, recruiting and retaining qualified personnel.
2. Ensure that school board interests are adequately represented in the redesign of teacher and administrator licensure programs.
3. Ensure that training programs address the appropriate governance structures in the operation of public education.

III. Federal Issues

A. Special Education. KASB supports efforts to increase federal funding of special education to the statutorily authorized level.

B. Elementary and Secondary Education Act. KASB supports reauthorization of the Elementary and Secondary Education Act with the priorities established by the National School Boards Association.

C. Aid to Private Schools. KASB opposes federal legislation that would use tuition tax credits or vouchers to aid private schools. Assistance to students enrolled in private schools, such as special education services, should be provided through public school districts.



January 16, 2001

**House Education Committee
Representative Ralph Tanner, chair

Request for the Introduction of Bills**

Mr. Chair, members of the committee:

The Wichita Public Schools would request bill introduction for the following items:

- Amending the School District Finance and Quality Performance act definition of a "juvenile detention facility", KSA 72-6409 and KSA 72-8187 et al, to reflect the addition of "Liberty Juvenile Services and Treatment". The facility has a contract with JJA to house level 6 juveniles. Today 13 students are housed there and receiving educational services from the Wichita Public Schools.
- To permit multiple count dates for the purpose of counting special education students on December 1 and the end of June. Addition of two count dates is aligned with the procedure in statute for juvenile detention facilities, who experience the same influx of students during the year as districts experience in the special education population.

The district would further suggest a review of the state mandate to provide special education services to age 21, beyond the federal mandate of 18.

- Adapt the lease purchase statute to permit school districts to enter into long term lease arrangements. Recently the district has attempted to lease cell tower capacity to telecommunications companies, only to be blocked by the ten year limitation in statute.

Thank you, Mr. Chairman, for the opportunity to bring forth issues impacting specific school districts.

House Education Committee

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Attachment # 2