

MINUTES OF THE SENATE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Senator Dwayne Umbarger at 1:30 p.m. on January 29, 2001 in Room 123-S of the Capitol.

All members were present except:

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

Conferees appearing before the committee: Stacy Farmer, Kansas Assoc. of School Boards
 William R. Docking, Kansas Board of Regents
 Clay Blair, Chairman, Kansas Board of Regents

Others attending: See attached list

Stacy Farmer, Kansas Association of School Boards, requested the introduction of six bills, HB2181 from 1999 as a new bill, to give school boards broader powers of local control, SB 155 from 1999 as a new bill, giving school boards authority to create local charter schools that are exempt from state laws and regulations, SB 225 from 1999 as a new bill, giving school boards authority to terminate tenured teachers for good cause, based on evidence and subject to review by the court system, HB 3092 from 1992 as a new bill, requiring school boards to receive a minimum number of hours of training as approved by State Board of Education. They also request new legislation to amend the student suspension/expulsion act to remove the requirement that the division of motor vehicles be notified in certain cases and new legislation to amend state law 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. Bill requests are listed in the attached letter from the Kansas Association of School Boards. (Attachment 1) Motion was made by Senator Teichman to introduce the bills. Seconded by Senator Vratil. Motion passed.

The committee wanted to know how costly it was to introduce the same bill in both Houses and why we draft the same bills in the House and the Senate. It was felt that the cost was not prohibitive. It is to expedite the process. If the bill does not move in the House, then it can be handled in the Senate.

Motion to approve minutes for January 17, January 18, and January 22, 2001 was made by Senator Vratil. Seconded by Senator Corbin. Motion passed.

Chairman Umbarger introduced Kim Wilcox, Board of Regents who in turn introduced several people from the Board of Regents staff. Bill Docking, past chairman of the Kansas Board of Regents, gave an overview on the accomplishments in the last year and a half and the direction the board sees themselves going in the next year or two. His testimony is in (Attachment 2).

Clay Blair, Chairman of the Board of Regents, began his comments stating that SB 345 created the opportunity to redefine a vision for what higher education should be in the state. The majority of the members of the board were new and brought fresh new attitudes. They defined 13 crucial items that they thought were essential in looking to the future for higher education and these were major steps, not the daily management type of things. His testimony is outlined in (Attachment 3).

After a short committee discussion, the meeting was adjourned. The next meeting will be January 30, at 1:00 p.m.

SENATE EDUCATION COMMITTEE GUEST LIST

DATE - 01/29/01

<u>NAME</u>	<u>REPRESENTING</u>
William Truck	Shawnee Mission Schools
Tom Alby	KACCT
Sheila Graham	KACCT
Daryl Shaw	KACCT
Andi Shaw	Kearney Law
Marven Burris	KBOR
De Birmingham	"
Craig Grant	HNEA
William Dorky	KBOR
Clay Blair III	KBOR
Tom M...	KBOR
John J...	KMU
Eric Sexton	WSU
Paul Hurley	Paul Hurley & Co.
Mike Ohr	Pinegar - Smith
Judy Krueger	Gov. Office
Jonas Scott	ESU
Susan Holstis	KS Loop Council
John D. Pinegar	Washburn University



TO: Senate Committee on Education
FROM: Stacey Farmer
DATE: January 29, 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.

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Attachment 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.

Statement to the Senate Education Committee

**By Regent William R. Docking
Kansas Board of Regents**

January 29, 2001

Committee Chairman Umbarger and members of the Senate Committee on Education,
My name is Bill Docking and I am past Chair of the Board of Regents. I appreciate the opportunity to address you this morning and bring you up to speed on the progress that has been made at the Board of Regents since you passed Senate Bill 345 nearly two years ago.

In the past, you would have heard me discussing the roles and accomplishments of the six state universities. For decades, our sole function was to advocate for the Regents universities. Those schools continue to excel in all aspect of their missions, however, I will allow the university CEO's to update you regarding university happenings at a later date. Today, I would like to focus on the Regents system as a whole. For the past year we have been working very hard to assimilate into our system, the supervision and coordination of 19 community colleges and 11 technical schools and colleges. Additionally, KBOR now administers the Adult Basic Education and GED programs for Kansas – a duty that formerly resided with the Kansas State Department of Education. This summer we will receive several employees from KSDE as the Carl Perkins, post-secondary federal program moves to our operation.

In a little more than a year, the Kansas Board of Regents has made some giant steps toward improving the higher education system in Kansas. The Board has been reorganized and has operationalized the three commissions created by the legislature – the Commission for Higher Education, the Commission for Public Universities, and the Commission for Community

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Attachment 2

Colleges and Technical Education. Each commission has been given goals that reflect the aspirations of the people of Kansas for a high quality, accessible and responsive education system.

As I mentioned earlier, we are seeking ways to integrate KSDE and KBOR operations for smoother transitions from secondary to post-secondary education. We continue to improve communication processes between our six state universities. More importantly, however, we are focusing on the communication process between the different sectors – the community colleges, the universities, the technical schools – and so on. Just this month all 37 CEO's gathered for a joint meeting to discuss progress that has been made – and areas that are of concern or that need to be addressed.

In the arena of academic affairs we are seeing progress as well. For the first time, the Chief Academic Officers from the different post-secondary entities are meeting regularly and discussing the different processes and goals at each institution. This sharing of information has led to better academic policy development overall. For example, a new statewide policy on concurrent enrollment has been developed with input from the universities and community college academic officers.

Another big step for academic progress in higher education in Kansas this month, was the unveiling of the new Regents Online Catalog (ROC). With this interactive web based system, persons interested in taking a class online may view course offerings from all of our universities and community colleges in one integrated site. Interested students can examine course syllabi and requirements, transferability, and in most cases sign up for the course online. The Regents Online Catalog is but one example of the efforts we are making to bring higher education to as many Kansans as possible.

We have made big steps fiscally as well. For the past two years, the Board has submitted for the first time this year a “consolidated” budget for the Regents system as a whole. That was the result of our inheriting several different budget systems and our attempt to better organize and coordinate them. As I speak to you today, the folks in our fiscal departments across the state, working with the staff in the Board office, are creating a more “unified” budget for FY 2003, which will reflect common parameters across sectors. There is much still to be done in re-thinking our higher education budgets. One big step in this reform is the recommendation for moving the state universities to operating grants and campus-based tuition management. These changes will allow the state universities to be more flexible in their decision-making, while at the same time holding each CEO more accountable for university operations.

Too many times in the past we have appeared before committees like this one and have been unable to answer many of the questions you pose regarding higher education in Kansas. I am pleased to announce that as a result of SB 345 mandates, and with funding from the 2000 Legislature, that we have hired a Director for Institutional Research and have begun a search for an Assistant Director. In the future, with the help of a research component, we will be able to provide sound answers to your questions, but more important, we will be able to ask ourselves tough questions and find solutions to the challenges facing higher education in Kansas.

These are just some brief examples of what we have accomplished in one short year. Where are we going and how do we get there? I will let our current Chairman, Clay Blair, tell you much of that story, but allow me to set the stage. In September 2000 the Board approved a *Plan for the Coordination of Higher Education*. As a result, the Board office has a clear direction in which they are to proceed. Through much discussion, the Board developed a slogan which best represents higher education and the mission of the Kansas Board of Regents... *Advancing*

Knowledge – Expecting Excellence with the vision that Kansans will reach for their full potential through excellence in higher education.

As part of the “Coordination Plan,” we developed five distinct goals. They are:

Goal #1. Review and approve the mission and role of the four sectors of public post-secondary education. Determine improvements to the system that may be achieved from potential restructuring of governance and administrative entities.

Goal #2. Create an integrated, articulated system of public education that promotes success from one level to the next while maintaining the highest standards.

Goal #3. The Kansas post-secondary education system should seek to minimize barriers to access and facilitate institutional missions to encompass lifelong learning.

Goal #4. Kansas post-secondary education institutions should become a more powerful force for the development of economic opportunity, workforce training, and improved quality of life in the state.

And,

Goal #5. In order to accomplish the above, Kansas needs an adequate, equitable, and flexible financing system that supports both institutions and students in need.

I have addressed many of these topics in my remarks, I would like to turn the presentation over to Regent Blair for what I think you find as a very informative, energetic and creative approach on how to achieve goal number five. Thank you for allowing me to speak before your committee, and I would be happy to stand for questions now – or after our presentation has concluded.

Comments to the Senate Education Committee
by Clay Blair
Chairman, Kansas Board of Regents

January 29, 2001

- Our three (3) priorities for the 2002 Legislative session are:
 1. Restore Kansas Board of Regents base budget and maintain full funding of the second year of SB 345.
 2. Maintain the recommended funding for Kansas Technical Schools.
 3. Operationalize the Kansas Regents Foundation and promote tax credit legislation.

- Continue to improve on the new budget model for the Regents system.
 1. Promote the operating grant mechanism for state universities.
 2. Work together as a system to produce a “unified” budget for 2003.

- Increase efficiencies across all sectors of higher education.
 1. Continue to effectively communicate among all levels of higher education.
 2. Produce a standard set of communication procedures.
 3. Increase partnerships and coalitions within the Regents system

- Other topics covered:
 1. Must continually reinvent higher education – just like major corporations reinvent themselves.
 2. Expand on e-education opportunities in our state.
 3. Increase Federal Research dollars.
 4. Contract for and conduct a reputable study of higher education in Kansas.

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Attachment 3