

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairperson Kathe Decker at 9:00 a.m. on March 10, 2004 in Room 313-S of the Capitol.

All members were present except:

Representative Daniel Williams- excused

Committee staff present:

Kathie Sparks Legislative Research Department
Carolyn Rampey Legislative Research Department
Art Griggs, Office of the Revisor of Statues
Ann Deitcher, Secretary

Conferees appearing before the committee:

Joe McFarland, Silver Haired Legis.
Dale Dennis, Ks. Dept. Of Ed

HB 5036 - Urging State Ed Board to provide increased support for certain programs for elderly.

The Chair recognized Joe McFarland who appeared as a proponent to **HB 5036**. (Attachment 1).

Written testimony in support of **HB 5036** from the Department on Aging was distributed.. (Attachment 2).

Dale Dennis distributed copies of communication he'd received from Patricia Kells, Exec. Director, Ks Office for Community Service. (Attachment 3). He then responded to questions from members of the Committee.

The hearing on **HB 5036** was closed.

A motion was made by Representative Miller and seconded by Representative Morrison that **HB 5036** be moved favorably out of Committee. The motion passed on a voice vote.

SB 346 - Schools' virtual courses or schools' out-of-state pupils not counted for enrollment purposes.

It was moved by Representative Flaharty and seconded by Representative Storm that **SB 346** be moved favorably out of Committee.

Copies of a balloon amendment to **SB 346** was distributed. (Attachment 4).

Representative Mason explained the amendments he had requested to be made in **SB 346**.

A brief discussion of the bill followed.

It was moved by Representative Mason and seconded by Representative Morrison to accept the amendment to **SB 346**. The motion passed on a show of hands.

Representative Mason moved and Representative Yonally seconded the motion that an additional amendment be made to **SB 346** that would change the word "shall" to "may" on line 9 in (4) of the balloon amendment. The motion passed on a voice vote.

CONTINUATION SHEET

MINUTES OF THE HOUSE EDUCATION COMMITTEE at 9:00 a.m. on March 10, 2004 in Room 313-S of the Capitol.

Representative Storm made the motion that was seconded by Representative DeCastro to amend the balloon amendment on page 2 that would place a period following the word "act" on line six, and delete the remainder of (4).

Following some discussion of this motion, the motion was withdrawn by Representative Storm.

It was moved by Representative Beggs and seconded by Representative Mason that SB 346 be passed as amended. The motion passed on a show of hands.

The Chair announced that the meeting scheduled for Thursday, March 11 was cancelled.

The meeting was adjourned at 10:15 a.m. The next meeting is scheduled for Tuesday, March 16, 2004.

March 10, 2004

Members of the House Education Committee

I am Dr. Joe McFarland, President of the Silver Haired Legislative Council,...that group of senior citizens that is still able to speak for itself. I am appearing today in support of HCR No. 5036.

This resolution was adopted during the last session of the Silver Haired Legislature by a near unanimous vote. The essence of this resolution is to encourage the legislature to provide financial support for a multitude of great community service programs which the legislature has previously requested be provided by accredited high schools in this state.

These programs have generated a wide variety of creative activities and have taken on a number of configurations. Some of these programs have taken the form of inter-generational activities whereby students spend time with disabled and elderly senior citizens in senior centers, nursing homes or at the homes of elder residents still in their own homes.

These volunteer programs have proved to be beneficial both to the students and the elderly and many of them will be continued on a volunteer basis. However, some of these cannot continue in their present form without financial assistance. Transportation of students to these locations alone is becoming an increasing burden, especially during this time of restricted school finances and rising gasoline prices.

We urge your support for an idea that has proved its value and needs your support to continue to be successful.

**Joe McFarland, President
Silver Haired Legis. Council**

House Education Committee
Date: 3/10/04
Attachment # 1



K A N S A S

PAMELA JOHNSON-BETTS, SECRETARY

DEPARTMENT ON AGING

KATHLEEN SEBELIUS, GOVERNOR

March 10, 2004

Honorable Kathe Decker
Chair, House Education Committee
Room 303 North
State Capitol
Topeka, KS 66612

Dear Chairperson Decker:

The Kansas Department on Aging supports HCR 5036, which encourages community service and service learning programs for increased youth volunteer service to enhance appreciation of the needs of elderly persons.

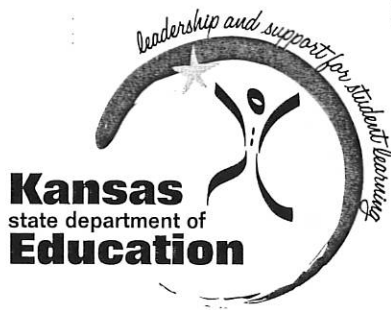
We recognize the needs of older people and understand the difficulties our elders face in trying to get life's basic needs met. The needs of seniors are widespread and can vary significantly from one individual to another. From needing assistance with lawn care, to desiring a friend with whom you can share past experiences with, an older person's quality of life depends upon the personal connections made with other people.

This resolution promotes invaluable intergenerational relationships that strengthen the ties of seniors to their communities, and would provide our youth with a foundation for lifelong civic participation. The opportunities afforded to students through this resolution, including preparation to enter the workforce, are immense.

As the aging population continues to significantly increase in the years to come, the support of intergenerational relationships will be a crucial in maintaining cohesive and connected communities, where the contributions and insight of all persons is recognized and valued.

Sincerely,

Pamela Johnson-Betts
Secretary of Aging



State and Federal Programs

785-296-2306

785-296-5867 or 785-296-2294 (fax)

120 SE 10th Avenue • Topeka, KS 66612-1182 • (785) 296-6338 (TTY) • www.ksde.org

TO: Dale Dennis, Deputy Commissioner

FROM: Patricia P. Kells, ^{OK} Executive Director, Kansas Office for Community Service

DATE: March 9, 2004

The Kansas Office for Community Service (KsOCS), a part of the State and Federal Programs Team of the Kansas State Department of Education currently has successfully received \$290,159 in federal funds to provide grants to 30 schools and community-based organizations to provide opportunities for school-age youth (kindergarten through grade 12) to be engaged in service learning.

The Kansas communities receiving grants are: Baxter Springs (Class LTD), Bonner Springs-Edwardsville, Burlington, Colby (Big Brothers/Big Sisters), Emporia, Gardner, Glasco, Hutchinson, Junction City, Kansas City, Lawrence, Lecompton, Manhattan, Olathe, Ottawa, Parsons, Riley County, Shawnee Mission, Spring Hill, Topeka, Ulysses, Valley Center, Waterville, and Wichita.

Of the thirty grants, only one program is designed to serve only elderly persons. This is East Central Kansas Area Agency on Aging in Ottawa, which has involved 320 youth in service to 150 elderly during the period of August – December 31, 2003.

In addition, five schools and one other community-based organization report serving the elderly. One other school and the Big Brothers/Big Sisters of Thomas County report they engage the youth in partnership with local Retired and Senior Volunteer Programs. One other school district involves the students with "Foster Grandparents". The data collected by the KsOCS does not contain the age of the people who receive service.

The KsOCS also has successfully competed for \$1,586,301 to support AmeriCorps programs that involve individuals in full- or part-time service to their community. The agencies currently receiving AmeriCorps funds are: Interfaith Ministries, Wichita; Kansas Association for the Medically Underserved serving 14 communities; Kansas Department of Wildlife and Parks serving across the State; Sterling College serving all of Rice County; and the Wichita Public Schools. Service provided by these programs often includes the elderly serving alongside AmeriCorps members or as the recipients of service.

House Education Committee

Date: 3/10/04

Attachment# 3

SENATE BILL No. 346

By Committee on Education

1-23

9 AN ACT concerning schools and school districts; relating to pupils;
10 amending K.S.A. 2003 Supp. 72-6407 and repealing the existing
11 section.

K.S.A. 72-6757 and

sections

12
13 *Be it enacted by the Legislature of the State of Kansas:*
14 Section 1. K.S.A. 2003 Supp. 72-6407 is hereby amended to read as
15 follows: 72-6407. (a) (1) "Pupil" means any person who is regularly en-
16 rolled in a district and attending kindergarten or any of the grades one
17 through 12 maintained by the district or who is regularly enrolled in a
18 district and attending kindergarten or any of the grades one through 12
19 in another district in accordance with an agreement entered into under
20 authority of K.S.A. 72-8233, and amendments thereto, or who is regularly
21 enrolled in a district and attending special education services provided
22 for preschool-aged exceptional children by the district.
23 (2) Except as otherwise provided in *paragraph (3) of this subsection,*
24 a pupil in attendance full time shall be counted as one pupil. A pupil in
25 attendance part time shall be counted as that proportion of one pupil (to
26 the nearest 1/10) that the pupil's attendance bears to full-time attendance.
27 A pupil attending kindergarten shall be counted as 1/2 pupil. A pupil en-
28 rolled in and attending an institution of postsecondary education which
29 is authorized under the laws of this state to award academic degrees shall
30 be counted as one pupil if the pupil's postsecondary education enrollment
31 and attendance together with the pupil's attendance in either of the
32 grades 11 or 12 is at least 5/6 time, otherwise the pupil shall be counted
33 as that proportion of one pupil (to the nearest 1/10) that the total time of
34 the pupil's postsecondary education attendance and attendance in grade
35 11 or 12, as applicable, bears to full-time attendance. A pupil enrolled in
36 and attending an area vocational school, area vocational-technical school
37 or approved vocational education program shall be counted as one pupil
38 if the pupil's vocational education enrollment and attendance together
39 with the pupil's attendance in any of grades nine through 12 is at least 5/6
40 time, otherwise the pupil shall be counted as that proportion of one pupil
41 (to the nearest 1/10) that the total time of the pupil's vocational education
attendance and attendance in any of grades nine through 12 bears to full-
time attendance. A pupil enrolled in a district and attending special ed-

House Education Committee
Date: 3/10/04
Attachment # 4-1

1 ucation and related services, except special education and related services
 2 for preschool-aged exceptional children, provided for by the district shall
 3 be counted as one pupil. A pupil enrolled in a district and attending
 4 special education and related services for preschool-aged exceptional chil-
 5 dren provided for by the district shall be counted as ½ pupil. A preschool-
 6 aged at-risk pupil enrolled in a district and receiving services under an
 7 approved at-risk pupil assistance plan maintained by the district shall be
 8 counted as ½ pupil. A pupil in the custody of the secretary of social and
 9 rehabilitation services and enrolled in unified school district No. 259,
 10 Sedgwick county, Kansas, but housed, maintained, and receiving educa-
 11 tional services at the Judge James V. Riddel Boys Ranch, shall be counted
 12 as two pupils.

13 (3) A pupil residing at the Flint Hills job corps center shall not be
 14 counted. A pupil confined in and receiving educational services provided
 15 for by a district at a juvenile detention facility shall not be counted. A
 16 pupil enrolled in a district but housed, maintained, and receiving edu-
 17 cational services at a state institution shall not be counted. *A pupil enrolled*
 18 *in a virtual school in a district but who is not a resident of the state of*
 19 *Kansas shall not be counted.*

20 (b) "Preschool-aged exceptional children" means exceptional chil-
 21 dren, except gifted children, who have attained the age of three years but
 22 are under the age of eligibility for attendance at kindergarten.

23 (c) "At-risk pupils" means pupils who are eligible for free meals un-
 24 der the national school lunch act and who are enrolled in a district which
 25 maintains an approved at-risk pupil assistance plan.

26 (d) "Preschool-aged at-risk pupil" means an at-risk pupil who has
 27 attained the age of four years, is under the age of eligibility for attendance
 28 at kindergarten, and has been selected by the state board in accordance
 29 with guidelines consonant with guidelines governing the selection of pu-
 30 pils for participation in head start programs. The state board shall select
 31 not more than 5,500 preschool-aged at-risk pupils to be counted in any
 32 school year.

33 (e) "Enrollment" means: (1) For districts scheduling the school days
 34 or school hours of the school term on a trimestral or quarterly basis, the
 35 number of pupils regularly enrolled in the district on September 20 plus
 36 the number of pupils regularly enrolled in the district on February 20
 37 less the number of pupils regularly enrolled on February 20 who were
 38 counted in the enrollment of the district on September 20; and for dis-
 39 tricts not specified in this clause (1), the number of pupils regularly en-
 40 rolled in the district on September 20; (2) if enrollment in a district in
 41 any school year has decreased from enrollment in the preceding school
 42 year, enrollment of the district in the current school year means which-
 43 ever is the greater of (A) enrollment in the preceding school year minus

(4) On and after July 1, 2005, a pupil enrolled in any school district in this state who does not live in Kansas shall not be counted as a pupil for state financial aid under the school district finance and quality performance act except that until July 1, 2010, a pupil who does not live in Kansas and whose parent is a full-time employee of the school district shall be counted as a pupil for purposes of state financial aid.

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4-2

1 enrollment in such school year of preschool-aged at-risk pupils, if any
2 such pupils were enrolled, plus enrollment in the current school year of
3 preschool-aged at-risk pupils, if any such pupils are enrolled, or (B) the
4 sum of enrollment in the current school year of preschool-aged at-risk
5 pupils, if any such pupils are enrolled and the average (mean) of the sum
6 of (i) enrollment of the district in the current school year minus enroll-
7 ment in such school year of preschool-aged at-risk pupils, if any such
8 pupils are enrolled and (ii) enrollment in the preceding school year minus
9 enrollment in such school year of preschool-aged at-risk pupils, if any
10 such pupils were enrolled and (iii) enrollment in the school year next
11 preceding the preceding school year minus enrollment in such school year
12 of preschool-aged at-risk pupils, if any such pupils were enrolled; or (3)
13 the number of pupils as determined under K.S.A. 72-6447, and amend-
14 ments thereto.

15 (f) "Adjusted enrollment" means enrollment adjusted by adding at-
16 risk pupil weighting, program weighting, low enrollment weighting, if any,
17 correlation weighting, if any, school facilities weighting, if any, ancillary
18 school facilities weighting, if any, special education and related services
19 weighting, and transportation weighting to enrollment.

20 (g) "At-risk pupil weighting" means an addend component assigned
21 to enrollment of districts on the basis of enrollment of at-risk pupils.

22 (h) "Program weighting" means an addend component assigned to
23 enrollment of districts on the basis of pupil attendance in educational
24 programs which differ in cost from regular educational programs.

25 (i) "Low enrollment weighting" means an addend component as-
26 signed to enrollment of districts having under 1,725 enrollment on the
27 basis of costs attributable to maintenance of educational programs by such
28 districts in comparison with costs attributable to maintenance of educa-
29 tional programs by districts having 1,725 or over enrollment.

30 (j) "School facilities weighting" means an addend component as-
31 signed to enrollment of districts on the basis of costs attributable to com-
32 mencing operation of new school facilities. School facilities weighting may
33 be assigned to enrollment of a district only if the district has adopted a
34 local option budget and budgeted therein the total amount authorized for
35 the school year. School facilities weighting may be assigned to enrollment
36 of the district only in the school year in which operation of a new school
37 facility is commenced and in the next succeeding school year.

38 (k) "Transportation weighting" means an addend component as-
39 signed to enrollment of districts on the basis of costs attributable to the
40 provision or furnishing of transportation.

41 (l) "Correlation weighting" means an addend component assigned to
42 enrollment of districts having 1,725 or over enrollment on the basis of
43 costs attributable to maintenance of educational programs by such dis-

4-4

1 tricts as a correlate to low enrollment weighting assigned to enrollment
2 of districts having under 1,725 enrollment.

3 (m) "Ancillary school facilities weighting" means an addend compo-
4 nent assigned to enrollment of districts to which the provisions of K.S.A.
5 72-6441, and amendments thereto, apply on the basis of costs attributable
6 to commencing operation of new school facilities. Ancillary school facili-
7 ties weighting may be assigned to enrollment of a district only if the
8 district has levied a tax under authority of K.S.A. 72-6441, and amend-
9 ments thereto, and remitted the proceeds from such tax to the state trea-
10 surer. Ancillary school facilities weighting is in addition to assignment of
11 school facilities weighting to enrollment of any district eligible for such
12 weighting.

13 (n) "Juvenile detention facility" means: (1) Any secure public or pri-
14 vate facility which is used for the lawful custody of accused or adjudicated
15 juvenile offenders and which shall not be a jail;

16 (2) any level VI treatment facility licensed by the Kansas department
17 of health and environment which is a psychiatric residential treatment
18 facility for individuals under the age of 21 which conforms with the reg-
19 ulations of the centers for medicare/medicaid services and the joint com-
20 mission on accreditation of health care organizations governing such fa-
21 cilities; and

22 (3) the Forbes Juvenile Attention Facility, the Sappa Valley Youth
23 Ranch of Oberlin, Salvation Army/Koch Center Youth Services, the Clar-
24 ence M. Kelley Youth Center, the Clarence M. Kelley Transitional Living
25 Center, Trego County Secure Care Center, St. Francis Academy at At-
26 chison, St. Francis Academy at Ellsworth, St. Francis Academy at Salina,
27 St. Francis Center at Salina, King's Achievement Center, and Liberty
28 Juvenile Services and Treatment.

29 (o) "Special education and related services weighting" means an ad-
30 dendum component assigned to enrollment of districts on the basis of costs
31 attributable to provision of special education and related services for pu-
32 pils determined to be exceptional children.

33 (p) "Virtual school" means any kindergarten or grades one through
34 12 course offered for credit that uses distance-learning technologies which
35 predominantly use internet-based methods to deliver instruction and for
36 which the course content is available on an "anytime, anyplace" basis,
37 but the instruction occurs asynchronously with the teacher and pupil in
38 separate locations, not necessarily located within a local education agency.

See attached Sec. 2.

72-6757 and K.S.A.

3. 39 ~~Sec. 2.~~ K.S.A. 2003 Supp. 72-6407 ~~is hereby repealed.~~

4. 40 ~~Sec. 3.~~ This act shall take effect and be in force from and after its

4. 41 publication in the statute book.

are

Sec. 2. K.S.A. 72-6757 is hereby amended to read as follows: 72-6757. (a) As used in this section:

(1) "Receiving school district" means a school district of nonresidence of a pupil who attends school in such school district.

(2) "Sending school district" means a school district of residence of a pupil who attends school in a school district not of the pupil's residence.

(b) The board of education of any school district may make and enter into contracts with the board of education of any receiving school district located in this state for the purpose of providing for the attendance of pupils at school in the receiving school district.

(c) The board of education of any school district located in this state may make and enter into contracts with the governing authority of any accredited school district located in another state for the purpose of providing for the attendance of pupils from this state at school in such other state or for the attendance of pupils from such other state at school in this state.

(d) Pupils attending school in a receiving school district in accordance with a contract authorized by this section and made and entered into by such receiving school district with a sending school district located in this state shall be counted as regularly enrolled in and attending school in the sending school district for the purpose of computations under the school district finance and quality performance act.

(e) Any contract made and entered into under authority of this section is subject to the following conditions:

(1) The contract shall be for the benefit of pupils who reside at inconvenient or unreasonable distances from the schools maintained by the sending school district or for pupils who, for any other reason deemed sufficient by the board of education of the sending school district, should attend school in a receiving school district;

(2) the contract shall make provision for the payment of tuition by the sending school district to the receiving school district; and

~~(3) if a sending school district is located in this state and the receiving school district is located in another state, the amount of tuition provided to be paid for the attendance of a pupil or pupils at school in the receiving school district shall not exceed 1/2 of the amount of the budget per pupil of the sending school district under the school district finance and quality performance act for the current school year, and~~

~~(4) the contract shall make provision for transportation of pupils to and from the school attended on every school day.~~

(f) Amounts received pursuant to contracts made and entered into under authority of this section by a school district located in this state for enrollment and attendance of pupils at school in regular educational programs shall be deposited in the general fund of the school district.

~~(g) The provisions of subsection (e)(3) do not apply to unified school district No. 1047, Jewell county.~~

~~(h) The provisions of this section do not apply to contracts made and entered into under authority of the special education for exceptional children act.~~

(i) (h) The provisions of this section are deemed to be alternative to the provisions of K.S.A. 72-8233, and amendments thereto, and no procedure or authorization under K.S.A. 72-8233, and amendments thereto, shall be limited by the provisions of this section.