

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Kathe Decker at 9:00 A.M. on February 17, 2006 in Room 313-S of the Capitol.

All members were present.

Committee staff present:

Kathie Sparks, Kansas Legislative Research
Carolyn Rampey, Kansas Legislative Research
Art Griggs, Revisor of Statutes Office
Ann Deitcher, Committee Secretary

Conferees appearing before the committee:

Rep. Clay Aurand
Rep. Tom Holland
Mark Tallman, KASB
Zachary Bachert, Lawrence
James Bachert, Lawrence
Cynthia Ramsdell, Lawrence
Gary Musselman, Exec. Dir., KSHSAA

HB 2613 - Transportation of pupils residing outside district.

The Chair introduced Representative Aurand who testified in support of **HB 2613**. (Attachment 1).

Speaking in opposition to **HB 2613** was Mark Tallman. (Attachment 2).

Following a short period of questions and answers, the meeting was closed on **HB 2613**.

HB 2906 - Relating to the Kansas state high school activities association; relating to powers and duties thereof.

Representative Holland addressed the Committee in support of **HB 2906**. (Attachment 3). He then introduced Zachary and James Bachert, (Attachments 4 and 5), who spoke as proponents to the bill.

Cynthia Ramsdell offered testimony in favor of **HB 2906**. (Attachment 6).

Speaking in opposition of **HB 2906** was Gary Musselman. (Attachment 7).

The Chair requested that Mr. Musselman report back to the Committee following the KSHSAA's scheduled review of current policies adopted in 2001 regarding virtual classes taken by students seeking eligibility. Virtual school administrators have been requested to give their input on the issue.

A motion was made by Representative Kelsey and seconded by Representative Huebert to favorably pass HB 2613. The motion carried on a voice vote.

HB 2684 - an act relating to education; providing for an early high school graduation incentive program.

A decision was made by the Committee to refer **HB 2684** to be worked by an interim committee.

A motion was made by Representative Phelps and seconded by Representative Kelsey that the Committee approve the minutes for the meetings of Jan. 17, 24, 27 and Feb. 6, 9, 10 and 13. The motion passed on a voice vote.

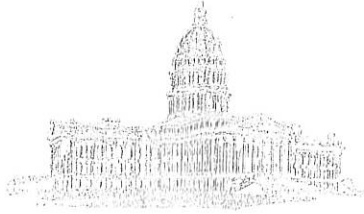
The meeting was adjourned at 10:25. There is no other meeting scheduled at this time.

STATE OF KANSAS

HOUSE OF
REPRESENTATIVES

REPRESENTATIVE, 109TH DISTRICT
JEWELL, MITCHELL,
REPUBLIC AND SMITH COUNTIES

ROOM 381-W
STATE CAPITOL
TOPEKA, KANSAS 66612-1504
(785) 296-7662
FAX: (785) 368-7168



CLAY AURAND
MAJORITY LEADER

Testimony on HB 2613

I appreciate the opportunity to testify this morning on HB 2613. First a little background.

Through the years unification, consolidation and the closing of attendance centers has left many families in the unfortunate position of residing in a district whose schools are substantially farther away than a neighboring district's school. Families who find themselves in this situation have always been able to go to a school outside their district with approval of that school. However, unless the students' home school district allowed it, the receiving school could not send buses to the students' homes to pick them up.

To remedy this the legislature enacted the current law that allows for students, meeting certain criteria, to board a bus at their house and ride to their hometown school. What a radical concept.

The bill before you is an attempt to help individual families by removing one of the criteria that is in the current law. The problem is that some families still are not able to access the school that fit their families needs. Removing one more barrier can only make life easier for families, especially those whose work location is different and a large distance from their home districts school.

The trend of closing attendance centers in rural Kansas continues. Let's do what we can to make this difficult reality less of a problem for parents and kids.

Thank you

House Education Committee
Date: 2-17-06
Attachment # 1

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

1420 SW Arrowhead Road • Topeka, Kansas 66604-4024
785-273-3600

Testimony on **HB 2613**
before the
House Education Committee

by

Mark Tallman, Assistant Executive Director/Advocacy
Kansas Association of School Boards

February 9, 2006

Madam Chair, Members of the Committee:

Thank you for the opportunity to comment on **HB 2613**. Under current law, in certain circumstances school districts are allowed to send a bus into another district to pick up a child to attend a school in that non-resident district. Prior to this law, the school district where the child lived had to give permission for another district to pick up and transport a child.

One of the main justifications for the original law was the safety and convenience of the child. Among other factors, it required the school outside of the child's resident school district be closer than the school where the child would attend in the resident district. **HB 2613** would remove this requirement.

KASB believes the committee needs to carefully consider the impact of this change, not only on the child in question but on other children in the district. For better or worse, under our school finance formula, the number of students in a district determines the budget. When a child attends another district, the "money follows the child." However, district expenses do not exactly reflect small changes in enrollment. It may seem "selfish" for a district to oppose the transfer of a student to another district. But in fact, that loss of revenue will have an impact on the remaining children in the district.

KASB's particular concern is whether the change proposed in this bill will make it harder for school districts to consider school or district consolidation. School closing, in particular, is always an emotional, divisive issue. Some districts may be considering action to close a school building in order to operate more efficiently or offer a more comprehensive educational program. However, if they lose a significant number of students through such an action, those benefits may be lost.

Because of these concerns, KASB cannot support **HB 2613**. We urge the committee to consider all ramifications of this change before acting on the bill. Thank you for your consideration.

House Education Committee
Date: 2-16-06
Attachment # 2

STATE OF KANSAS



TOPEKA

HOUSE OF
REPRESENTATIVES

TOM HOLLAND

REPRESENTATIVE 10TH DISTRICT
HOME ADDRESS: 961 E. 1600 ROAD
BALDWIN CITY, KANSAS 66006
(785) 865-2786
tomholland23@hotmail.com

OFFICE ADDRESS: STATE CAPITOL, 284-W
TOPEKA, KANSAS 66612-1504
(785) 296-7665
E-mail: holland@house.state.ks.us
1-800-432-2924

COMMITTEE ASSIGNMENTS
RANKING DEMOCRAT: GOVERNMENTAL ORGANIZATION
AND ELECTIONS
MEMBER: EDUCATION
HEALTH & HUMAN SERVICES
LEGISLATIVE EDUCATION PLANNING
COMMITTEE

Chairman Decker and Esteemed Committee Members:

Good morning! My name is Tom Holland, Representative of the 10th House District, which includes south Lawrence, Baldwin City, Wellsville, and north Ottawa. Thank you for hearing my testimony today on HB 2906 concerning both part-time and virtual school students with respect to the Kansas State High School Activities Association (KSHSAA).

Simply put, this bill is about extending the educational opportunities for those students who are enrolled in a least one course in a traditional “brick and mortar” Kansas public school or students who are enrolled in virtual school educational program administered by a Kansas public school district. HB 2906 would allow such a student taking a debate, band, or orchestra class to be able to participate in similar KSHSAA-related activities at the regional or state level. The student would have to be in good standing with his / her district to participate in these activities.

This morning you’ll hear additional testimony about how important this bill is for extending learning opportunities to Kansas school children. The testimony will re-enforce the fact that this bill is truly an important tool for Kansas parents to provide their kids with the educational opportunities and experiences that will be of most benefit to the child’s particular learning needs.

I thank the committee for its time and attention in addressing this most important matter. I look forward to responding to the committee’s questions at the appropriate time.

A handwritten signature in blue ink, appearing to read 'Tom Holland'. The signature is fluid and cursive, with a small star or asterisk at the end.

The Honorable Tom Holland
State Representative – 10th District

House Education Committee
Date: 2-17-06
Attachment # 3

Testimony on HB 2906
before the
House Education Committee
by
Zachary J. Bachert of Lawrence, Kansas
February 17, 2006

Good morning,

My name is Zachary Bachert. I'm a junior at the Lawrence Virtual School and I play the saxophone in symphonic band at Lawrence High. I've made District Honor band and received a superior rating at both regional and state solo festivals, and recently I've made All-State Honor Band. I work hard on my classes, just as hard as a student in a "brick and mortar" school. I consider myself to be a normal student.

I believe and have been taught, that it is important to participate and be involved in activities in your school. It's not fair to keep kids from doing what they love to do. This law allows kids like myself in virtual schools and homeschooled kids to participate in school activities without any questions.

Thank you for your time and consideration.

House Education Committee
Date: 2-17-06
Attachment # 4

Testimony on HB 2906
before the
House Education Committee
by
James R. Bachert of Lawrence, Kansas
February 17, 2006

Chairperson Decker and members of the Committee:

Thank you very much for the privilege of speaking before this committee today. My name is James Bachert. Zachary and I are here in support of House Bill No. 2906 now being considered. My wife and I have five children, ages eleven to twenty-four. All of our children have spent their lives growing up in Lawrence and in one way or another being associated with Lawrence Public Schools.

Our first two boys took the traditional path, attending full time daily in public school buildings from kindergarten through twelfth grade. Zachary, who just spoke to you, attended school in the traditional way through tenth grade. As Zachary has explained, he is presently taking five Lawrence Virtual School Kansas accredited courses and one band class at Lawrence High School. Our eleven year old and fourteen year old are presently homeschooled.

In a way, the educational path of our children has mirrored that of many other Kansas children. Parents have been choosing the home as the best learning environment for a particular child or making good use of legislation passed by the Kansas Legislature from the 1990s forward by choosing direct participation in a number of ways in Kansas schools. We have seen doors open for high school students to get both high school and college credit for coursework and the ability of parents to take advantage of the unique learning opportunities of charter and virtual schools for their children.

House Education Committee
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Attachment # 5-1

We are no longer in a one-size fits all educational environment. Changes in technology, family structure, and the way we parents earn a living have all had an impact on how best to educate our children. We have learned that it is important to adapt teaching to a particular individual student's learning style. Likewise, we have been learning that it is important to adapt the place where a student learns to their individual needs.

In our family music has been huge part of the lives of our children. We believe strongly that music and band promote scholastic achievement and serve to help keep students out of trouble. This bill will insure that there are no challenges to a child's ability to participate in Kansas State High School Activities Association (KSHSAA) activities and other activities of their music related class while they simultaneously receive an education within the home or within the structure of a virtual school.

As a final comment, I have a concern that the bill as written may create some confusion about whether a student can be enrolled in only one course at a school, a music or debate related course, and still have the benefit of the legislation. The bill begins with the words "A part time student enrolled...." This could be interpreted to mean that the student must be enrolled "part-time" either prior to their enrollment in the music or debate related class or that a course or courses in addition to the music or debate related class must be taken simultaneously within the school to give the student "part-time" status. Thus, I believe clear language that a student may be enrolled in only one course within a Kansas public school, a music or debate related course, and still remain eligible for all KSHSAA activities.

Once again, thank you for allowing me to speak about this important bill. I will certainly make myself available for questions at the present time or after the committee hearing.

YAHOO! MAIL

Print - Close Window

Date: Tue, 14 Feb 2006 17:57:54 -0800 (PST)

From: "Cynthia Ramsdell" <cynthiaramsdell@yahoo.com>

Subject: bill for music and debate for part-time or virtual students

To: holland@house.state.ks.us

Hello!

I am writing to ask you to vote in favor of this legislation. My children are enrolled in Lawrence Virtual School, and although they are too young for KHSAA activities now, I would love for them to be able to participate in these when they are age-eligible if we continue schooling through the virtual school. I feel the grade point average is a fine requirement that ensures the students' academics are being upheld while allowing them the same extra-curricular opportunities as their full-time public school peers. Please support this legislation and encourage others to do so, too!

Thank you!

Cynthia Ramsdell
Lawrence

*LVS is an accredited public school in the LASD,
so its students should be able to participate in KHSAA
like LHS + FS.*

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February 17, 2006

House of Representatives – Education Committee

RE: House Bill #2906

Thank you for the opportunity to appear on behalf of the member schools of the Kansas State High School Activities Association.

The Association opposes the bill on the basis the appropriate review of policies and rules, is underway within the governance structure of the KSHSAA.

At its' next meeting, March 14th, the KSHSAA Executive Board has scheduled a review of current policies adopted in 2001 regarding virtual classes taken by students seeking eligibility.

The KSHSAA has contacted virtual school administrators requesting their input on the issue.

This bill was prompted by a situation which came to the attention of the KSHSAA on February 7th regarding the eligibility of a high school junior who attends a KSHSAA member school and takes all but one of his academic courses as virtual (online) work.

On February 15th I met with the parents of the student, the principal of the high school and the administrator of the state accredited virtual school the student attends. As a result of information gathered in that meeting, the KSHSAA Executive Board conducted a special meeting by telephone conference call on February 16th, and unanimously approved eligibility for the student to compete in music activities under jurisdiction of the Association. Additionally, they directed me to gather appropriate information from the Kansas State Department of Education regulations addressing state accredited virtual schools. Contact has already been made with Commissioner Corkins and the KSDE.

Current KSDE regulations have dramatically changed the environment in which virtual courses are offered. Kansas schools need to participate in the process of changing KSHSAA eligibility rules resulting from that changing environment.

The Association's process should be allowed time to work. It will result in change of policy and quite possibly Handbook eligibility rules. Care must be taken, to avoid impulsive rule changes which could result in unanticipated problems or unfairness to all students.

Eligibility privileges must be ensured equitably for all students (traditional, virtual, alternative school, and college dual credit). School administrators, who deal daily with all categories of students and understand the issues surrounding activities eligibility, are best equipped to develop and implement comprehensive and appropriate KSHSAA rule changes.

Kansas educators and policy makers agree interscholastic athletic and activity programs are based at their core, on scholastic achievement and standing of students. Care must be taken to ensure policy or rule changes don't inadvertently alter this fundamental principle.

Respectfully submitted,
Gary Musselman
KSHSAA Executive Director

House Education Committee
Date: 2-17-06
Attachment # 7