

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:35 p.m. on February 6, 2006, in Room 123-S of the Capitol.

Committee members absent: Pat Apple – excused

Committee staff present: Kathie Sparks, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Mark Tallman, Kansas Association of School Boards

Senator Schodorf opened the meeting by calling attention to the minutes of the January 17 and January 18 meetings. Senator Teichman moved to approve the minutes of the January 17 and 18 meetings, seconded by Senator Lee. The motion carried.

SB 318 – School Safety and Security Act

Senator Schodorf noted that **SB 318** was requested by Senator Brownlee in the Joint Committee on Juvenile Justice and Corrections Oversight Committee during the summer of 2005.

Theresa Kiernan, Office of the Revisor of Statutes, explained that **SB 318** amends the provision in the School Safety and Security Act in the section which requires that an employee of a school district to report certain information to the superintendent on certain pupils. The superintendent is then required to investigate the information and notify all school employees who are directly involved or likely to be involved in the teaching or providing school related services to those pupils. The bill applies to pupils who have been expelled because they either have endangered the safety of others or impinged on the rights of others under K.S.A. 72-8901 or, under the same section, if they have committed an act which is a felony or constitutes a felony if they are a juvenile. In addition, it applies to pupils who have violated the Weapons Free School Act if the student has been adjudged as a juvenile offender or has been tried or convicted as an adult for a felony. The juvenile offender felony would not apply to the student if the felony involved theft. The amendment deletes language which provides that the school employee or superintendent would not have to report or investigate information if the felony occurred more than a year prior to the employee's report to the superintendent.

Senator Schodorf explained that Senator Brownlee's intent was that, if a student committed a crime, the report of the crime would follow the student without a time frame. Committee members expressed their concern that there was no evidence that would indicate that the current law need to be changed.

Mark Tallman, Kansas Association of School Boards, testified in opposition to **SB 318** on the grounds that the Association had not received any complaints about the reporting requirements of the School Safety and Security Act. He noted that, under the bill, a student would be subject to being reported for as long as twelve years after the act even if the student kept a clean record after the disciplinary action, which he felt was unreasonable. He expressed his concern that changing the law may inadvertently create other problems. (Attachment 1)

Senator Vratil moved that the Committee take no action on SB 318, seconded by Senator Teichman. The motion carried.

Senator Schodorf opened a discussion on possible action on two previously heard bills: **SB 330** concerning Learning Quest (family postsecondary education savings accounts) and **SB 332** authorizing regents' institutions to acquire insurance such as property insurance or business interruption insurance.

Senator Teichman moved to recommend SB 330 favorably for passage, seconded by Senator Pine.

Due to questions which arose relating to the early withdrawal of funds from the Learning Quest program, it was the consensus of the Committee that action on the bill be delayed until a representative from the State

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:35 p.m. on February 6, 2006, in Room 123-S of the Capitol.

Treasurer's Office could respond to questions at a future meeting.

Senator Teichman withdrew her motion, and Senator Pine withdrew his second to the motion.

Ms. Kiernan informed the Committee that, after the hearing on **SB 332**, she and Board of Regents' conferees discussed drafting new language; however, she had not yet prepared the balloon language. She noted that one option discussed was to allow the institutions to purchase insurance in the same manner as the Committee on Surety Bonds and Insurance, but the institution's purchase would not be subject to approval of the Committee.

Senator Vratil commented, "As we left this last week, I think the Committee was puzzled why the Board of Regents was recommending an amendment to delete the last sentence of what they had previously said should be included in the bill. I had an occasion to talk with Reggie Robinson after that meeting about this bill, and he wasn't even aware that they were going to offer that amendment. So, I think the Committee deserves an explanation."

Senator Lee added, "And the Department of Administration indicates that there are a number of major contracts that already involve the Board of Regents as well as other agencies and that the Regents pulling out of those contracts could significantly affect those other contracts."

It was the consensus of the Committee to delay action on **SB 332** until representatives from the Treasurer's Office and the Department of Administration could respond to questions about state insurance policies.

The meeting was adjourned at 2:05 p.m.

The next meeting is scheduled for February 7, 2006.

**SENATE EDUCATION COMMITTEE
GUEST LIST**

DATE: Feb. 6, 2006

NAME	REPRESENTING
RUSSELL MILLS	GACHE S-BRADEN
Spd Burke	USA
Berry Henderson	USA
SCOTT FRANK	LPA
Diane Gjerstad	Wichita Public School
Dessie Meador	KLA
Beth Innes	Halfpenny Relations
Deimus Casarona	JJA
BILL REARDON	KCKs. Public Schools (USD 500)
MARK DEBETT	KNETA
Bill Reardon	SFFF
Mark Tallman	KASIS
Charles Claycomb	
Martha Claycomb	

KANSAS
ASSOCIATION



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Testimony on **SB 318**
before the
Senate Committee on Education

by

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

February 6, 2006

Madam Chair, Members of the Committee:

Thank you for the opportunity to comment on **SB 318**, which would delete the section of the School Safety and Security Act regarding when school employees and superintendents are required to notify other employees about students who have received certain disciplinary actions. KASB appears in opposition to **SB 318** because we are not aware of the justification for this change.

KASB worked with the Legislature to develop current statutory language on school safety and security. We have not received any complains from our members about the reporting requirements of this Act.

Our understanding of the history of this provision in the Act was to provide a kind of “statute of limitations” for students who may have been disciplined for actions years ago, but have kept a clean record since that time. Under this bill, a student would be subject to being reported for as long as twelve years after the act. That seems unreasonable. It should be noted that current law does not prohibit schools from informing teachers and other when the action has occurred from than one year before; it simply does not require it. We believe that school employees can be trusted to make appropriate decisions about students who may pose safety or disciplinary issues.

Thank you for your consideration.

Senate Education Committee
2-6-06
Attachment 1