

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:30 p.m. on January 31, 2007, in Room 123-S of the Capitol.

Committee members absent:

Committee staff present: Sharon Wenger, Kansas Legislative Research Department
Ashley Holm, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Donna Whiteman, Kansas Association of School Boards
Mark Desetti, Kansas National Education Association
Senator Vicki Schmidt
Bruce Andrews

SB 109 – School district employees; compensation, when

Theresa Kiernan, Revisor of Statutes Office, explained that, under current law, a teacher's pay cannot commence until September. The bill would change the law by providing that pay would commence in the first month of employment, which could be August or some other month.

Donna Whiteman, Kansas Association of School Boards, testified in support of **SB 109**. She noted that most schools started in September when the statute was originally passed, but currently only one school district starts after Labor Day. In this regard, she called attention to an attachment to her written testimony which showed the opening and closing dates of schools for the 2006-07 school year. She pointed out that schools are starting in August, and the bill's provision would allow school districts to pay their teachers before September. (Attachment 1)

Mark Desetti, Kansas National Education Association, testified in support of **SB 109**. He noted that Kansas schools close in late May and open in early August; therefore, teachers are no longer nine month employees but are ten month employees at best. He pointed out that, under current law, new employees must go nearly two months before being paid in districts where teachers are paid monthly at the end of the month. (Attachment 2)

There being no others wishing to testify, the hearing on **SB 109** was closed.

SB 129 – School safety violations; suspension of driving privileges

Theresa Kiernan, Revisor of Statutes Office, noted that **SB 129** was introduced at the request of Senator Vicki Schmidt. She went on to explain that violation of the School Safety Act included possession of a weapon, a controlled substance, or an illegal drug on school property or at a school activity or committing act which is likely to cause bodily injury to another person. She explained further that, if a student violates the School Safety Act, the school administrator must notify a law enforcement agency, and the agency conducts an investigation. After the law enforcement agency has concluded its investigation, the agency must notify the Director of the Division of Motor Vehicles within three days. The bill would expand the notification time to ten days. She explained further that, once the Division is given notice, the student's driver's license is suspended for one year. Currently, there is an appeal procedure; however, there is no appeal on the grounds of timeliness of the notice. The bill would expand the appeal so that there would be grounds to appeal if the notice was not given in a timely manner (within the ten day period).

Senator Vicki Schmidt testified in support of **SB 129**. She explained that Bruce Andrews, a constituent, contacted her in early fall in 2006 concerning an issue regarding the delayed reporting of an incident which involved his son. Due to the delay, his son's driver's license was actually suspended for two years instead of one year as required by current law. To address the issue, the bill provides that, if notification regarding a school safety incident is not given within a ten day period, the student's driver's license shall not be suspended or revoked. She emphasized that current law does not provide for an appeal process when the school district does not report a school safety incident in a timely manner. (Attachment 3)

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:30 p.m. on January 31, 2007, in Room 123-S of the Capitol.

Bruce Andrews gave a time line of his son's experience, which began after he was involved in an incident at Topeka West High School on September 19, 2005. After he was suspended for 136 days on October 29, 2005, he enrolled in an alternate school. On February 10, 2006, the district court ordered him to be placed on probation. The family felt he was making positive steps in getting his life back in order, and he was looking forward to attending Topeka High School for the 2006-07 school year. In June 2006, a letter from the Division of Vehicles stated that his driver's license was suspended from June 23, 2006, until June 22, 2007. Mr. Andrews found that the reporting agency was USD 501 campus police. However, prior to the notification from the state, there was no mention of the loss of driving privileges. Mr. Andrews contacted USD 501 security, and he was told that state law required that the incident be reported to the Division of Vehicles and that the incident was not reported until the end of May 2006 (nine months after the incident). Mr. Andrews was not able to get a copy of the incident report from the Division of Vehicles or from USD 501. Because the incident was not reported with three days as required, he appealed the driver's license suspension on July 7, 2006, and a hearing at the Division of Vehicles was held on July 12, 2006. The suspension was upheld on July 27, 2006, which was after his son had completed his probation. (Attachment 4)

Committee discussion and questions followed. Mr. Andrews explained that during the relevant time period, the USD 501 campus security did not have a department director. A new director was hired in May, and the new director then reported the September incident. Senator Vratil commented that, under current law, there is no limited time in which the school can notify the law enforcement – it just says an "immediate" report. He noted, under the bill, that provision had not changed. The only thing that was changed in the bill was the period of time in which the law enforcement agency must report to the Division of Vehicles. He further noted that, under the law, the Topeka school district should not be reporting these types of incidents to their own Director of Security. Instead, the district should be reporting the incidents either to the Topeka Police Department or the Shawnee County Sheriff's Office. He also commented to Mr. Andrews that perhaps he could now obtain a copy of the incident report from the Department of Vehicles if he made an open records request.

Senator Vratil suggested that the bill be amended on page 1, line 19, by changing "chief administrative officer" to "Superintendent of Schools." He also suggested that "immediate" on line 20 be changed to "within 10 days of the incident" and that "to a city or county law enforcement agency" be inserted after "report" on line 20. He further suggested that the bill include a provision requiring that a copy of the report be given to the parents of the student with notice of the possibility of the suspension of the student's driver's license. He also commented that, currently, the statute requires the school to make the report before any determination has ever been made by the school that the student is guilty. In his opinion, the suspension-expulsion hearing by the school should be held first. If the student is found guilty, the incident should then be reported to a law enforcement agency.

Ms. Whiteman commented that the whole purpose of the School Safety and Security Act was to give a report to law enforcement. She noted that the action of the Division of Vehicles was triggered by the language on page 1, lines 29 through 30, – "Upon receipt of the notice, the Division of Vehicles shall suspend the pupil's driver's license or privilege to operate a motor vehicle." She pointed out that the language does not direct the Division to consider whether or not a timely report was filed, and there is no provision for an appeal process for reports not timely filed. A committee member asked Ms. Whiteman to prepare appropriate language to address the problems discussed.

Mark Desetti, Kansas National Education Association, testified in support of **SB 129**. In his opinion, the most important part of the bill was the extension in the time for notification from three days to ten days. In addition, he noted that the suggested clarification of an "immediate report" was necessary. (Attachment 5)

There being no further time, the discussion on **SB 129** was continued to a future meeting.

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for February 1, 2007.

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

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

Testimony on **SB 109**
before the
Senate Education Committee
by

Donna L. Whiteman, Assistant Executive Director/Legal Services
Kansas Association of School Boards

January 31, 2007

Mr. Chair and Members of the Committee:

Thank you for the opportunity to appear in support of S.B. 109.

The Kansas Association of School Boards supports changing the current state law that prohibits school districts from making payment to employees until September. As soon districts have increasingly started the school and contract year earlier, current law needs to be changed to reflect the trend of starting school earlier.

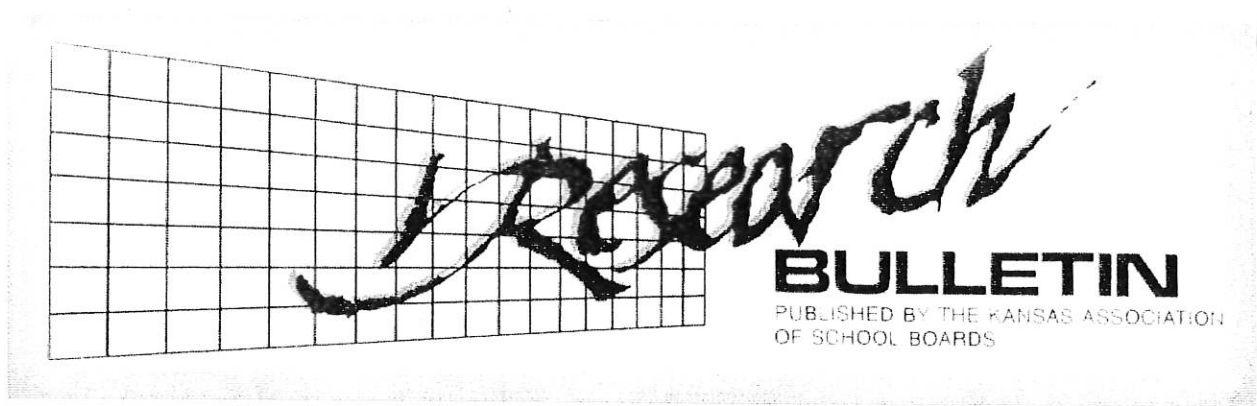
New school employees may report to work in early August or even before that and under current law they may not receive their first compensation for the school year until September. Depending on the districts payroll cycle, that may result in a number of weeks before the paycheck arrives.

I have attached a copy of the KASB Research Bulletin on the Opening and Closing Dates of School: 2006-07 School Year.

Thank you for the opportunity to represent testimony in support of S.B. 109.

Thank you for your consideration.

*Senate Education Committee
1-31-07
Attachment 1*



Opening and Closing Dates of School: 2006-07 School Year

August, 2006

Research Bulletin No. 1

Jim Hays, KASB Research Specialist

Opening Dates of School

Closing Dates of School

August 2006

May 2007

<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>
14 11 USDs 32,044.9 Enr	15 20 USDs 72,085.4 Enr	16 76 USDs 137,942.6 Enr	17 109 USDs 147,346.6 Enr	18 18 USDs 9,780.4 Enr
21 25 USDs 14,618.5 Enr	22 12 USDs 11,493.2 Enr	23 12 USDs 6,015.3 Enr	24 10 USDs 4,541.8 Enr	25
28 1 USD 1,624.1 Enr	29	30 1 USD 138.5 Enr	31	1

<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>
14	15 2 USDs 354.1 Enr	16 3 USDs 695.5 Enr	17 12 USDs 5,170.6 Enr	18 24 USDs 73,430.1 Enr
21 2 USDs 18,937.8 Enr	22 29 USDs 25,210.0 Enr	23 76 USDs 63,925.2 Enr	24 120 USDs 181,852.3 Enr	25 25 USDs 36,834.0 Enr
28 1 USD 2,411.1 Enr	29	30 1 USD 27,420.6 Enr	31	1

September 2006

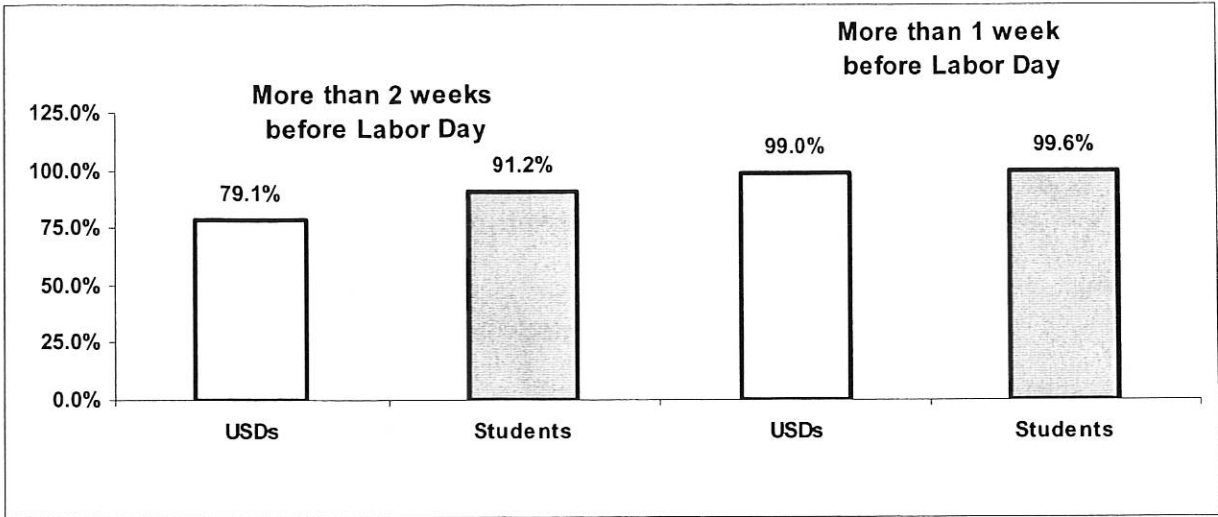
June 2007

<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>
4 Labor Day	5 1 USD 147.0 Enr	6	7	8

<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>
4	5	6 1 USD 1,537.0 Enr	7	8

Last year was the first time in modern memory that all Kansas students were enrolled in school prior to Labor Day. This year one small district will once again start after Labor Day. This trend, toward earlier starting dates and earlier fall activities calendars, began several years ago and now virtually all schools play a football game before Labor Day.

Almost 4 out of 5 districts (79.1%) and 9 out of 10 students (91.4%) will have begun school 2 weeks before Labor Day. All but 3 districts (99.0%) and 1,909.6 students (not quite .4%) will start school at least one week before Labor Day weekend.



This bulletin is not being mailed but is available in "pdf" format on the KASB website. For detailed printouts of the districts starting and ending school on each date (also available on the website), or for additional copies of this report, call the KASB Research Department (1-800-432-2471) or email your request with a return address to: research@kasb.org.



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 SW 10TH AVENUE / TOPEKA, KANSAS 66612-1686

Mark Desetti, Testimony
Senate Education Committee
January 31, 2007

Senate Bill 109

Madame Chair, members of the Committee, thank you for the opportunity to appear before you today to share our thoughts on Senate Bill 109.

KNEA believes that Senate Bill 109 brings this pay statute in line with current realities.

It is important that the legislature acknowledge current realities. Teachers are not longer nine month employees. The oft-quoted refrain, "The three best things about a teaching career are June, July and August," is now so false that it doesn't even have a chance at being humorous instead of simply offensive as it is to many who teach.

While Kansas schools tend to close in late May, they open in early August. June and July provide teachers time to pursue advanced degrees and secure professional development hours for license renewal. Many school districts bring teachers in before the students start and keep them after the students have left. And many teachers can be found in their classrooms preparing long before the students show up in mid-August.

The current statutory limit on when to begin paying teachers was written at a time when schools began after Labor Day. Back then, the September pay date was not an issue. Today, teachers routinely begin in early August. In districts where teachers are paid monthly, at the end of the month, this means new employees would go nearly two months before seeing any pay. How do you make rent and car payments under those conditions?

We urge this committee and the full Senate to pass Senate Bill 109. It is long past time for this change.

*Senate Education Committee
1-31-07
Attachment 2*

VICKI SCHMIDT
SENATOR, 20TH DISTRICT
(785) 296-7374



SENATE CHAMBER

COMMITTEE ASSIGNMENTS
CHAIRMAN: JT. COMMITTEE ON ADMINISTRATIVE
RULES AND REGULATIONS
VICE-CHAIR: PUBLIC HEALTH AND WELFARE
MEMBER: CAPITOL AREA PLAZA AUTHORITY
FINANCIAL INSTITUTIONS AND
INSURANCE
HEALTH CARE STRATEGIES
JT. COMMITTEE ON INFORMATION
TECHNOLOGY
STATE ADVISORY COUNCIL ON AGING
TRANSPORTATION
WAYS AND MEANS

Senate Education Committee
January 31, 2007

Testimony in Support of Senate Bill 129

Good afternoon Chairman Schodorf and Members of the Committee. I am here today to testify in support of Senate Bill 129.

Early in the fall I was contacted by one of my constituents about an issue regarding the delayed reporting of an incident by local school officials. Mr. Bruce Andrews is here today to present his testimony about the specifics of the situation that precipitated this proposed change in the law.

This bill changes from three to ten days the time that notice is given to the Department of Revenue, division of vehicles. In addition, the bill states that if the notification is not given within the 10 day period, the student's driver's license shall not be suspended or revoked.

The passage of this bill will make certain that a school district will not be able to delay the reporting of an event for the purpose of licensure suspension or revocation. Currently the school districts are to report within three days, but the law does not set up any process for appeal if that reporting is not done in a timely fashion.

Thank you for the opportunity to appear before you this afternoon. I would be happy to address any questions that Committee Members may have.

HOME

2619 S.W. RANDOLPH CT.
TOPEKA, KANSAS 66611
(785) 267-4686

STATE OFFICE

STATE CAPITOL, ROOM 142E
TOPEKA, KANSAS 66612-1504
(785) 296-7374

E-MAIL: SCHMIDTV@SENATE.STATE.KS.US

*Senate Education Committee
1-31-07 Attachment 3*

Senate Education Committee
Senate Bill 129

Committee Members,

I want to thank each of you for the opportunity to provide testimony on behalf of the Andrews family. My name is Bruce Andrews and I want to give you all a timeline of how SB 129 is before you for review.

This is the Andrews family experience:

September 19th, 2005 – our son Scott was involved in an incident on campus at Topeka West High School.

September 28th, 2005 - A ten day suspension occurred and a hearing held at TWHS with Administrative staff.

October 19th, 2005 – Hearing held at Topeka Public Schools Administrative center.

October 29th, 2005 – Topeka Public Schools, Board of Education voted to sustain the suspension of 136 days.

Our son enrolled in a program sponsored by USD 501, Second Chance and maintained his education credits to stay on line to graduate with his 2006-07 class.

January 17th, 2006 – Scott Andrews assigned to Court Services, Third District, and State of Kansas concerning incident at TWHS.

February 10th, 2006 – Order of Probation

Our family felt we were turning the corner with our son in making a bad choice into a learning experience. We felt a positive step in his life was occurring and that he was being held responsible for his incident. We had applied with USD #501 for our son to attend Topeka High School and were accepted for the 2006 – 07 school year. Our son was paying restitution and performing Community Service hours. Scott was also looking forward to his second season as a lifeguard with Parks and Recreation of Topeka. As parents we felt very good about the direction our son was choosing to follow to get his life in order.

June 23rd, 2006, received letter Department of Revenue, Division of Vehicles, stating June 22, 2006 – June 22, 2007 suspension of driving privileges. Agency, USD 501 Campus Police

As parents we were completely caught off guard and felt a mistake had been made. We had been involved with the court system since January and no mention of losing driving privileges; we had worked with USD 501 and no mention of losing driving privileges. We were disappointed as another issue was affecting our lives and especially the life of our son as we felt we were moving in a positive direction. We contacted the KDOR, DOV who referred us to USD 501 Security. USD 501 Security was contacted and we were told by State Law the incident had to be reported. We were informed that the USD

*Senate Education Committee
1-31-07
Attachment 4*

501 Student Hand Book stated the requirements of Chapter 119 Section 2 of the 2001 session Law of Kansas (amending KSA 72-89c02 etc) Director of Security Services or his/her designee will forward information to KDOR, DOV, within 3 school days of the incident. This information was turned into the KDOR, KDV, towards the end of May 2006. We were not able to get a copy of the form from either KDOR or USD 501 Security on exactly what day the form was turned into State KDOR.

July 7th, 2006 – appealed the suspension with KDOR, DOV, concerning the timing of this incident.

July 12th, 2006 – DOV Hearing was held

July 17th, 2006 – our son Scott A. completed all terms of his probation

July 27th, 2006 – Hearing and suspension of driving privileges upheld. Scope of Hearing was to review if individual was involved or not.

August 28th, 2006 – Kansas District Court, Petition for Review filed

October 24th, 2006 – DOV responded to review petition filed against suspension of license and timing requirements.

January 31st, 2006 – Hearing Senate Education Committee.

We have not allowed our son to drive as his license is suspended. We as parents are extremely disappointed in the accountability of USD 501 their Security and Administrative staff in working with our family to move forward in working to make a bad choice into a positive situation. We were also disappointed with the KDOR and KDV as the appeal process and hearing officer did not seem to be interested in information other than if our son was involved in incident or not.

As parents we are held accountable, our support systems as parents include the education system which also must be accountable and work hard to be fair and accurate for all students. We cannot imagine the impact on an individual if an incident similar to ours, where suspension of driving privileges for one year would be left unreported for more than one, two or three years. Would the State of Kansas allow this to occur? Our hope is that we may not be able to turn this Law around for our son but if we can save a young person and their family confusion/disappointment in the future we have made a good choice.

We will always follow our laws and systems to support our son. We have always taught our children to make good choices, be positive and think of how your actions will affect not only you but those around you. Please review SB 129 and make a positive change for the families of Kansas who support their children in times of need.

Thank you for the opportunity to provide testimony concerning our experience. We also want to give special thanks to Senator Vicki Schmidt for listening, caring and understanding what we feel is right.

Bruce Andrews
3532 SW Wood Valley Terrace
Topeka, Kansas 66614-3549

D

WRITTEN DETERMINATION OF

PROPOSED EXTENDED-TERM SUSPENSION (11-90 school days)....

OR

PROPOSED EXPULSION (91-186 school days).....

On the 29th day of September, 2005 at 1:00 pm., at Topeka West High School

a hearing was held before the undersigned on the (PROPOSED EXTENDED TERM SUSPENSION) (PROPOSED EXPULSION) of 136 school

days for Andrews Scott C a student at Topeka West High School
Last First Middle Initial School

REPORT OF FINDINGS AND RESULT OF HEARING in accordance with the Kansas Statutes and the specific rules and regulations of the Board of Education of USD 501. On the basis of the evidence, the undersigned made the following findings and determination. (Make findings on each charge, setting out the names of the witnesses and a brief statement of the evidence in support of each finding. Also make a determination as to whether extended term suspension or expulsion should or should not be imposed against student. Make a determination as to the length of suspension or expulsion including beginning and ending dates). Use additional sheet(s) if needed.

See attached sheets.

The undersigned further finds: (If extended term suspension or expulsion is to be imposed, make one or the other of the two following findings):

That the return to classes by such student, pending any appeal, or during the period allowed for notice of appeal, is not reasonably anticipated to cause continuing, repeated, material disorder, disruption or interference with the operation of any public school; or substantial and material infringement upon or invasion of the rights of others, and that such student may return to his regular classes until the period for filing a notice of appeal has expired with no such appeal filed, or until the determination of any such appeal (if a notice of appeal is filed).

That suspension or expulsion shall continue until appeal therefrom is determined or until the period of suspension or expulsion has expired.

Dated this 29th day of September, 2005

(Signed) M. J. [Signature] 8:30 A.M.
(Authorized hearing officer) (Time)

Written notice of this extended term suspension or expulsion was given by delivering copies of the report to the student and his parent(s) or guardian(s) personally and/or by the United States mail on this 29 day of September, 2005 (within 24 hours after date of report).

M. J. [Signature] ASSOC PRINCIPAL
(Authorized hearing officer) (Title)

RIGHT OF APPEAL: Students 18 years of age or older or parents or guardians of students younger than 18 years, may appeal the extended term suspension or expulsion to the Board of Education of U SD 501, by filing a written notice of appeal with the Clerk of the Board at 624 SW 24th Street, Topeka, Kansas, not later than ten (10) calendar days after receiving written notice of extended term suspension or expulsion.

STUDENTS ARE NOT ALLOWED ON SCHOOL GROUNDS OR AT A USD 501 SPONSORED ACTIVITY DURING THEIR SUSPENSION.

DIRECTIONS AND DISTRIBUTION OF COPIES: Type form or complete using a ballpoint pen and pressing firmly. Distribute copies as indicated: ORIGINAL-Principal; GREEN-Superintendent; CANARY-Pupil; PINK-parent or guardian; GOLDENROD-Authorized representative.

X PLEASE REPORT TO ROOM 104 - COURT SERVICES

J.O. COURT ACTION WORKSHEET

JUDGE: Pro Tem ossmann, DIVISION: 5, DATE: 1-17-06, TIME: 9:16

RESPONDENT: Andrews Scott, C. IN PERSON X ABSENT
CASE # (S) 055V884
APPEARANCES: STATE: M. Brazzel ATTY: Rosell RETAINED OR APPOINTED
PARENT/GUARDIAN Mother & Father OTHER FAMILY/FRIENDS
CSO STAFF MLP JJA _____ SRS/KCSL/OTHER PRO'S _____

TYPE OF HEARING: DOCKET X SENTENCING _____ REVIEW _____ ROV _____

ALLEGATIONS/ CHARGES:	AMENDMENT:	FINDING CODES
CT. 1 <u>Battery</u>	_____	<u>M</u>
CT. 2 _____	_____	_____
CT. 3 _____	_____	_____
CT. 4 _____	_____	_____

HEARING RESULTS:
GUILTY: _____ NO CONTEST: X PLEA NEGOTIATIONS: _____
PLEAD TO: As charged - could have been a felony but DA
CONTINUED FOR: _____ DATE: _____

PRE SENTENCE ORDERS:
PRE SENTENCE INVESTIGATION: ORDERED: _____ PSI WAIVED: X Good kid
SET FOR: (DATE): _____ (TIME): _____ DIVISION: wide remorse
INTERIM SUPERVISION ORDERED _____ HOUSE ARREST ORDERED _____
INTERIM LOCATION: HOME: _____ JDC: _____ FOSTER CARE PLACEMENT: _____
OTHER PLACEMENT: _____ (ADDRESS) _____

SENTENCING ORDERS:
SUPERVISED PROBATION: X, UNSUPERVISED PROBATION: _____, UNTIL: _____

COURT ORDERED SPECIAL CONDITIONS:
EMPLOYMENT: X, GED: _____, DRUG/ALCOHOL EVAL AND/OR TX: _____, RANDOM UA'S: _____
NA/AA MEETINGS: _____, COUNSELING _____, DNA _____, PSYCH. EVAL: _____
MEDIATION (TYPE): _____, EXTEND JURISDICTION TO AGE: _____
APOLOGY LETTER TO: 3 victims, NO CONTACT WITH: _____
ADDITIONAL COMMUNITY SERVICE WORK (CSW): _____ # OF HOURS: _____
48 HOUR SANCTION HOUSE APPROVED: _____ OTHER: _____

COST AND FEES ASSESSED:
COURT COSTS: 25.00, ATTORNEY FEES: Retained, PROBATION FEES: 25.00
SURCHARGE: 5.00, KBI LAB FEE: _____, RESTITUTION: _____
FINE: 100.00, OTHER: _____

ASSESSED TO: Respondent, CSW APPROVED FOR: None allowed
★ ASSIGN CSO FOR: SUPERVISION X, PSI _____, CSO ASSIGNED he must pay

NOTES: Shot a pellet gun at car and people
but - pellets were plastic - no one hurt
Fall of remorse !!!



October 21, 2005

Parents of Scott Andrews
Scott Andrews
3532 SW Woodvalley Terrace
Topeka, Kansas 66614

Re: Board of Education Decision

Dear Bruce and Laurie Andrews:

The Topeka Public Schools Board of Education met during its regular meeting on Thursday, October 20, 2005, at 6:30 p.m. to decide whether or not Scott Andrews should be expelled from Topeka West for breaking of school rules, possession or use of a weapon (Board definition), and violent act against student.

The Topeka Public Schools Board of Education took the action to sustain the proposed action.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vicki L. Vossler', is written over the typed name.

Vicki L. Vossler
Board of Education Appointed Hearing Officer

DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
JUVENILE DIVISION 10PAM
STATE OF KANSAS
Plaintiff

Case Number: 05JV884

vs

ORDER OF PROBATION

ANDREWS, Scott Charles
Defendant

In accordance with the authority conferred by the State of Kansas, you have been placed on probation this date, 01/17/06 for a period of six months by the Honorable Daniel L Mitchell, District Judge.

IT IS THE ORDER OF THE COURT THAT YOU WILL COMPLY WITH THE FOLLOWING STANDARD CONDITIONS OF PROBATION.

- 1) You will not violate any law (federal, state, or local).
- 2) You will notify your probation officer, the next working day, if questioned or arrested by a law enforcement officer. You will not act as an informant for any law enforcement agency without first discussing the situation with your probation officer.
- 3) You will not have contact with victims, witnesses, or co-defendant(s), in this or any other cases.
- 4) You will attend school everyday, obey all rules, and participate in a manner which will result in graduation. Any suspension will result in house arrest. If you are convicted of a felony, the school will be notified.
- 5) If not enrolled in school, you will attend any education and/or training approved by the probation officer.
- 6) You will seek and maintain employment and provide proof of such unless you are under age or the probation officer determines it will interfere with educational or treatment needs. You will advise your employer of your probation status.
- 7) You will notify your probation officer by the next working day if you change or lose your job and report your progress in seeking a new job.
- 8) You will keep your probation officer informed, and provide proof, of your current address and notify your probation officer before making any changes in your address.
- 9) You will not own, possess, purchase, receive, sell, or transport any firearms, ammunition, explosive devices, or any dangerous weapons as defined by state or municipal laws or ordinances.
- 10) You will not leave Shawnee County, Kansas, without permission of your probation officer.
- 11) You will provide your probation officer with full and truthful information at all times.
- 12) You will report as directed, follow the probation officer's instructions, and permit home and school visits at reasonable times. It is your responsibility to contact your probation officer prior to a scheduled appointment if you are ill or unable to appear.
- 13) You will not consume alcohol, cereal malt beverages, or illegal drugs and you will not associate with persons or places where alcohol, cereal malt beverages, or illegal drugs are sold or consumed.
- 14) You will submit to a breath, blood, or urine test upon the request of a probation officer, or any other law enforcement officer, at any time during the term of your probation and pay the cost of the test.

- 15) You will participate in, cooperate with, and successfully complete all evaluations, treatment, counseling, education, Community Service Work, or other programs required by your supervising probation officer.
- 16) You will obey all the rules of the home. Persistent disobedience will be considered a violation of probation.
- 17) You have a curfew. Your probation officer may approve changes due to work schedules and school activities. Under 15: You will be in your home by 9:00 p.m. Sunday-Thursday and 10:30 p.m. Friday and Saturday. Over 15: You will be in your home by 10:00 p.m. Sunday-Thursday and 12:00 a.m. Friday and Saturday.
- 18) You will be responsible for making regular monthly payments consistent with your income on all obligations (including restitution, fines, costs, fees). The Court Collections Service may be used to collect debts owed to victims and the court.
- 19) You will be subject to and shall cooperate with the following requirements and restrictions (including the frequency thereof), and associated costs as administered by your probation officer; reporting, chemical testing, field visits, home visits, school visits, travel restrictions, curfews, up to 200 hours of community service work, JISP screening, evaluations/treatments, electronic monitoring, house arrest, community referrals, Sanction House, and review board.

IT IS THE FURTHER ORDER OF THE COURT THAT YOU WILL PAY THE FOLLOWING SPECIALLY ASSESSED CHARGES AS DIRECTED BY YOUR PROBATION OFFICER:

Docket Fees	\$25.00	Fine	\$100.00	Appointed Attorney Fees	--
Probation Fees	\$25.00	Surcharge	\$5.00	KBI Lab Fees:	--

IT IS THE FURTHER ORDER OF THE COURT THAT YOU WILL COMPLY WITH THE FOLLOWING SPECIAL CONDITIONS:

- 1) You shall work on community service from 9:00 a.m. to noon (11:30) while on noon to 3:00 p.m. school schedule.
- 2) You shall write a letter of apology to victim and to administrators/students at TWHS.

I understand that the Court can change these conditions of probation, reduce the period of probation, or extend the period of probation if conditions are not met. I further understand that I have a responsibility to comply with this order.

I have (read/had this order read to me), received a copy of, and understand this order. I understand fully that my failure to comply will result in the imposition of additional sanctions, a revocation, and/or out of home placement.

IT IS SO ORDERED.

Scott C. Andrews 2-10-06
 Probationer Date

Burt McConico 2-10-06
 Probation Officer Date

[Signature]
 DISTRICT JUDGE DANIEL L MITCHELL

I understand that my child has been placed on probation and that the court has ordered that I assist in the monitoring of this. I understand that it is my responsibility to report any violations to the probation officer. Failure to do so may result in a contempt citation.

Parent/Guardian Date

Parent/Guardian Date

January 30, 2006
JVPROB.ORD

STATE OF KANSAS
Kathleen Sebelius, Governor



DEPARTMENT OF REVENUE
Joan Wagnon, Secretary

Driver Control Bureau
Docking State Office Building
915 SW Harrison St. - Rm 100
PO Box 12021
Topeka, KS 66612-2021

Telephone: (785) 296-3671
FAX: (785) 296-6851
Hearing Impaired TTY: (785) 296-3613
Web Site: www.ksrevenue.org/dmv

Division of Vehicles

June 22, 2006

SUSPENSION NOTICE (SCHOOL SAFETY)
(K.S.A. 72-89C02)

ANDREWS SCOTT CHARLES
3532 SW WOODVALLEY
TERRACE
TOPEKA KS 66614

DRIVER LICENSE NUMBER: K01622946
DATE OF BIRTH: 07/31/1988

YOUR DRIVING PRIVILEGES HAVE BEEN SUSPENDED FOR ONE YEAR FOR AN ACT RELATED TO SCHOOL SAFETY AS DOCUMENTED IN A NOTICE RECEIVED FROM THE LAW ENFORCEMENT AGENCY SHOWN BELOW:

SUSPENSION: FROM 06/22/2006 TO 06/22/2007
LAW ENFORCEMENT AGENCY: USD 501 CAMPUS POLICE DEPT

YOUR FULL DRIVING PRIVILEGES WILL BE REINSTATED AT THE END OF THIS SUSPENSION PERIOD WITHOUT FURTHER ACTION NEEDED ON YOUR PART PROVIDED THERE ARE NO OTHER ACTIONS AGAINST YOUR DRIVING PRIVILEGES IN THIS OR ANY OTHER STATE. IT IS A CLASS B NON PERSON MISDEMEANOR TO SHOW OR DISPLAY A REGULAR DRIVER'S LICENSE WHILE SUSPENDED.

YOU HAVE A RIGHT TO AN ADMINISTRATIVE HEARING REGARDING THIS ISSUE. REQUESTS MUST BE IN WRITING AND BE POSTMARKED OR DELIVERED TO DRIVER CONTROL (ATTN: ADMINISTRATIVE HEARING SECTION) WITHIN 30 DAYS OF THE DATE ON THIS LETTER.

IF YOUR ADDRESS IS DIFFERENT FROM THAT SHOWN ABOVE, YOU NEED TO INFORM US OF THE CHANGE IN WRITING PER K.S.A.8-248. YOU CAN CHANGE YOUR ADDRESS ON THE INTERNET, BY MAIL OR FAX, OR BY GOING TO ANY DRIVER'S LICENSE EXAMINING STATION.

Sincerely,

A handwritten signature in black ink that reads "Marcy J Ralston".

Marcy J Ralston
Chief, Driver Control Bureau

DC73A RVDCTNK

KANSAS DISTRICT COURT COURT SERVICES

July 10, 2006

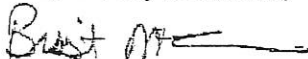
Bruce Andrews
3532 SW Woodvalley Terrace
Topeka, KS 66614

RE: Scott Androw
Case # 05JV884

Dear Mr. Andrews:

This letter is to inform you that Scott will successfully complete probation on 7-17-06.

Respectfully Submitted



Brist McConico
Court Services Officer I

STATE OF KANSAS
Kathleen Sebelius, Governor

Driver Control Bureau
Docking State Office Building
915 SW Harrison St. - Rm 100
PO Box 12021
Topeka, KS 66612-2021



DEPARTMENT OF REVENUE
Joan Wagnon, Secretary

Telephone: (785) 296-6911
FAX: (785) 296-0275
Hearing Impaired TTY: (785) 296-3613
Web Site: www.ksrevenue.org/dmv

Division of Vehicles

July 7, 2006

ANDREWS SCOTT CHARLES
3532 SW WOODVALLEY TERRACE
TOPEKA, KS 66614

DOB: 07/31/1988
DL#: K01622946

NOTICE OF HEARING

A representative from the Division of Vehicles will conduct an administrative hearing at the **KANSAS DEPARTMENT OF REVENUE, DRIVER CONTROL, 1ST FLOOR, DOCKING STATE OFFICE BUILDING, 915 SW HARRISON, TOPEKA, KS, at 07/12/2006 11:10 AM** regarding the suspension or revocation due to:

DRIVER'S LICENSE FOR BEING SUSPENDED OR EXPELLED FROM SCHOOL

Failure to attend the above scheduled hearing will result in suspension, restriction, suspension then restriction, or revocation of your driving privileges as applicable. Requests for continuances may be granted on a very limited basis if received by Driver Control Bureau, Administrative Hearing Section in writing by mail or fax. Requests should be sent as soon as a conflict is known and at least seven days prior to the hearing date.

If you need an interpreter at the hearing, please contact the Administrative Hearing Section in writing, by mail or fax, at least seven days prior to the hearing date. You must also indicate what type of interpreter you will need, (Spanish, Asian, sign language, etc.). We will arrange to have ~~an interpreter attend the hearing to assist you with the translation of the hearing procedures.~~

Pursuant to K.S.A. 8-259, all orders issued at the hearing may be appealed to district court within 10 days after the effective date of the order.

Cindie L. Hysten

Cindie L. Hysten
By direction

DC: gmj

HR1

KANSAS DEPARTMENT OF REVENUE
DIVISION OF VEHICLES

HEARING ORDER

(Non-alcohol/drug issue)

Licensee's name: Andrew Scott

Occurrence date: 6-29-06

DL number: K01622946

A representative of the Director, Division of Vehicles of the Kansas Department of Revenue conducted an administrative hearing at the request of the named respondent/licensee. Appearances were made by:

- No appearances
- Respondent
- Attorney: Paul
- Other: _____

ADMINISTRATIVE ORDER

- ISSUE REGARDING:
- Accident or traffic stop with no insurance
 - Insurance lapse
 - Cancellation of driving privileges for medical reasons
 - Other: _____

DISMISSED: The hearing officer hereby dismisses the administrative action to suspend, restrict, cancel or revoke the respondent's driving privileges.

Comments: _____

AFFIRMED: The hearing officer hereby affirms the administrative action to suspend, restrict, cancel or revoke the respondent's driving privileges based upon the following findings:

____ Respondent failed to show satisfactory proof that he/she had liability insurance at the time of the accident (K.S.A. 40-3104) or traffic stop (K.S.A. 40-3118).

____ Respondent failed to show satisfactory proof that he/she had continuous liability insurance required by K.S.A. 40-3118.

Other: According to the statute K.S.A. 72-602(c)(2) the scope of the hearing is limited to determining whether there was reasonable grounds to believe the suspect was in possession of a weapon, controlled

Upon receipt of this order, the Division of Vehicles will start or re-start the suspension, restriction, cancellation or revocation of the respondent's driving privileges as appropriate. An order will be mailed to the most recent address for the respondent in the Division's records setting out the action taken on the respondent's driving privileges. If you have any questions regarding this order or your driving record, you can call a Driver Control customer representative at (785) 296-3671 for assistance.

Pursuant to K.S.A. 8-259, respondent has thirty (30) days from this order date to file a petition for review with the district court and serve a copy of the petition upon the Secretary of Revenue.

A copy of this order was personally served upon respondent or respondent's attorney;

A copy of this order was mailed to respondent and to respondent's attorney.

Comments: A ~~stop~~ was made on a car with others in the car. The driver was not in possession of a weapon. The car was parked at a school parking lot.

Signature of Hearing Officer: [Signature]

Hearing Order date: 7/27/06



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 SW 10TH AVENUE / TOPEKA, KANSAS 66612-1686

Mark Desetti, Testimony
Senate Education Committee
January 31, 2007

Senate Bill 129

Madame Chair, members of the Committee, thank you for the opportunity to appear before you today to share our thoughts on Senate Bill 129.

The most important part of Senate Bill 129 is probably the extension in the timely for notification from three days to ten days.

The three day timeline is very tight. I would imagine that a number of cases have slipped between the cracks due to the three day limitation.

Of course coupled with this extension is a clearer statement about the fundamental rights of the accused student in lines 23-31 on page two. This section provides for good balance.

Senate Bill 129 seems to be common sense – give authorities a reasonable amount of time to investigate and report and then protect the rights of the accused.

We urge this committee to pass Senate Bill 129.

*Senate Education Committee
1-31-07
Attachment 5*