

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:45 p.m. on March 21, 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: Senator Nick Jordan
Don Jordan, Secretary, Kansas Department of Social and
Rehabilitation Services
Jim Edwards, Kansas Association of School Boards
Aaron Dunkel, Deputy Secretary, Kansas Department of
Health and Environment
Abby Thorman, Greater Kansas City Community Foundation

SB 384 – Concerning early childhood education services

Theresa Kiernan, Revisor of Statutes Office, explained that **SB 384** was introduced at the request of the Senate Task Force on K-12. The bill provides that the Legislative Educational Planning Committee (LEPC), in collaboration with the 2010 Commission, study and make recommendations relating to early childhood education. The Committee and the Commission would develop a coordinated comprehensive system for delivery of early childhood services and would prepare a plan for the transfer of the powers and duties of the State Department of SRS, the Department of Education, the Department of Health and Environment, and any other state agency which administers early childhood education services to an office of early childhood education services. The plan would provide that the transfer would occur on or before January 1, 2009, and whether or not that office should be an independent office or within an existing state agency. The Committee and Commission would submit a report to the Legislature and to the Governor. The report would include recommendations for changes in the law to implement its plan and recommendation. Sections two and three require state and local agencies which provide certain services to enter into a memorandum of understanding so that there would be consistent strategies for informing parents of programs for which they are eligible and to design a universal application form that parents could use when applying for services. Section four would direct the State Board of Education to develop and implement an alternative or provisional license for preschool teachers. In Section five, the State Department of Education is directed, when they are expending new monies for early childhood education, that at least 20 percent of that money shall be targeted for community based programs that did not receive funding the prior year.

Senator Nick Jordan testified in support of **SB 384**. He noted that two members of the Senate Education Committee were on the Task Force on K-12, Senators Teichman and Vratil. He further noted that this proposal passed out of the Task Force unanimously. He went on to say that the bill was an attempt to do what several other states have already done to form an office for early childhood education services, and it is an attempt to create an umbrella organization for all of the state's early childhood programs. Creating the umbrella organization would ensure that state funds are being spent wisely and would provide support for early childhood education service programs.

Don Jordan, Secretary, Kansas Department of SRS, testified in support of **SB 384**. He noted that SRS is committed to coordination and collaboration among programs and initiatives serving young children and their families, and the bill offered the opportunity for state agencies and stakeholders to define early childhood for Kansas and to study the programs, structures, funding streams, and systems currently serving the state's young children. (Attachment 1)

Jim Edwards, Kansas Association of School Boards, testified in support of the general concepts of **SB 384**. However, KASB is concerned that item 13 pertains to possible conflicts with Article 6, Sections 2 and 5 of the Kansas Constitution. In addition, KASB feels it might be important that another agency of state

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:45 P.M. on March 21, 2007, in Room 123-S of the Capitol.

government is not added into the mix, especially a new one. Furthermore, KASB questions whether Sections two and three of the bill get ahead of discussion by seemingly creating memorandums of understanding before the recommendations from LEPC and the 2010 Commission are known. ([Attachment 2](#))

Aaron Dunkel, Deputy Secretary, Kansas Department of Health and Environment, testified in support of **SB 384**. He requested that the Education Committee consider allowing the Department of Health and Environment to play a role in the preparation of a plan for the transfer of powers and duties of KDHE related to early childhood education services to the Office of Early Childhood Education Services. ([Attachment 3](#))

Abby Thorman, Greater Kansas City Community Foundation, testified in support of **SB 384**. She commented that, because there are 18 early childhood programs in Kansas spread over three departments with an annual investment of over \$140 million, it was worth investigating opportunities to reorganize these investments to serve children and families better. She noted that a number of states have undertaken similar reorganizations in the last five years. Although the final results have varied from state to state, each case produced one of three outcomes: the creation of a new cabinet-level department, the creation of a new office within an existing department, and memorandums of understanding between different programs and funding streams. She outlined four important lessons which were learned in studying these results. Based on the lessons learned, she made the following recommendations: (1) appoint Secretaries of SRS and KDHE, the Commissioner of Education, and Executive Director of the Children's Cabinet to a formal role in this reorganization, (2) access the resources created and the information gathered through the Comprehensive Early Childhood Systems plan and the resources gathered through the current audit of state investments in early childhood, (3) ensure there is sufficient staff support to make this planning and reorganization process happen well, and (4) involve early childhood leaders and other stakeholders when making decisions. ([Attachment 4](#))

Senator Schodorf called the Committee's attention to written testimony in support of **SB 384** submitted by Jim Redmon, Kansas Children's Cabinet and Trust Fund. ([Attachment 5](#))

Committee discussion followed to clarify the intent of provisions in the bill and the intent of the Senate Task Force on K-12. Senator Vratil explained that the Task Force concluded that one agency was needed with overall responsibility for early childhood education. The study is for the purpose of determining how to make a seamless transition because there are many invested interests in early childhood education, and in some respects they work well together and in other respects they do not work as well together. Senator Teichman explained that the Task Force discussed overlapping early education services, and it was their hope that all services could be consolidated to eliminate duplication but not take money away. In addition, the Committee discussed amending the bill to add Abby Thorman's recommendation to appoint cabinet members to a formal role in the reorganization process. Noting that the bill had two elements, Senator Schodorf suggested that Section 1 of the bill directing the two commissions to study and develop this plan be considered as a bill, and Sections 2 through 5 which included the process of developing memorandums of understanding could be considered as suggestions and recommendations that the committee study. Due to the lack of time to fully consider the bill, she continued the discussion and action on the bill to the next meeting.

Terry Forsythe, Kansas National Education Association, was scheduled to testify on **SB 384** as a neutral conferee; however, he did not present his testimony due to time limitations. Senator Schodorf called attention to copies of his written testimony which had been distributed to Committee members. ([Attachment 6](#)) She requested that Mr. Forsythe return to present his testimony at the next meeting.

The meeting was adjourned at 2:25 p.m.

The next meeting is scheduled for March 22, 2007.

**SENATE EDUCATION COMMITTEE
GUEST LIST**

DATE: March 21, 2007

NAME	REPRESENTING
Elaine Frisbie	Division of the Budget
Clara Dunkel	Dept of Health & Environ
Linda Soderberg	Sweden Foreign exchange student
Rhonda White	Kansas NEA, Pittsburg
Tony White	KNEA
Audrey Ladenburger	
Kenton Ladenburger	USD 382
Diane Ladenburger	USD 382 AAE
Gina McDonald	KCSL
Cindy D'Ercole	KAC
Lindsey Douglas	Hein Law Firm
Karin Chang-Bios	KU
Jamie Ross	KCSL
Val DeFenu	SQE
JERRY TROST	KNEA
Janette Luthi	KWSA
Jennifer Spencer	KSDE - PAT
Margy Hornback	KSDE - IDEA, Part B
Gayle M Stuber	KSDE - School Readiness

preschool
3-5
Project

4yr old at risk

Kansas Department of

Social and Rehabilitation Services

Don Jordan, Secretary

Senate Education Committee

March 21, 2007

SB 384 - Early Childhood Education Services

Don Jordan, Secretary

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For additional information contact:
Public and Governmental Services Division
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*Senate Education Committee
3-21-07
Attachment 1*

**Kansas Department of Social and Rehabilitation Services
Don Jordan, Secretary**

Senate Education Committee
March 21, 2007

SB 384 - Early Childhood Education Services

Chairperson Schodorf and members of the Committee, I am Don Jordan, Secretary of SRS and I appreciate the opportunity to come before you on SB 384.

SRS is committed to coordination and collaboration among programs and initiatives serving young children and their families. We currently oversee many early childhood programs and house the Head Start Collaboration Coordinator whose primary role is to ensure coordination and maximization of resources among programs serving young children. SRS has strong working relationships with the Department of Education, Department of Health and Environment, Children's Cabinet, Juvenile Justice Authority and many other state and local agencies to ensure program coordination for positive outcomes for young children.

SB 384 offers the opportunity for state agencies and stakeholders to define early childhood for Kansas and to study the programs, structures, funding streams and systems currently serving our young children. SRS will actively participate in this effort to create a more integrated system of early education for Kansas.

I would be happy to stand for questions.

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

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Testimony on **SB 384**
before the
Senate Education Committee
by

Jim Edwards, Governmental Relations Specialist
Kansas Association of School Boards

March 21, 2007

Madam Chair and Members of the Committee:

I thank you for the opportunity to appear in support of the general concepts of **SB 384**.

For the last five months, the Kansas Association of School Boards has been working closely with individuals at the state and national levels in the area of early childhood education. KASB was asked by the National Association of School Boards' Center for Public Education and the Pew Foundation to be one of three states to study current offerings and the impacts these offerings were having on pre-K students. Kansas was joined by Texas and Ohio in this two-year project.

We believe the bill, and its individual points, will ultimately allow Kansas to provide services that will be instrumental in bringing pre-K children to school house doors ready and eager to learn. We believe items one through 12 of **SB 384** will assist in doing exactly that. Those of you who have read the bill closely might be asking why item 13 was not included. Our concern with item 13 pertains to possible conflicts with Article 6, Sections 2 and 5 of the Kansas Constitution. In addition, as the Legislature looks to providing the needed early childhood education programs, it might be important that we not add another agency of state government into the mix, especially a new one.

Second, we would question whether Sections 2 and 3 of **SB 384**, get ahead of discussions by seemingly creating memorandums of understanding before the recommendations from LEPC and the 2010 Commission are known.

In ending my testimony I say once again that we believe the bill, and its individual points, will ultimately allow Kansas to provide services that will be instrumental in bringing pre-K children to school house doors ready and eager to learn. That is a very important bottom line.

Thank you for the opportunity to present testimony in support of **SB 384** as well as your consideration of this important measure. I would stand for questions.

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Attachment 2

Article 6

§ 2: State board of education and state board of regents.

(a) The legislature shall provide for a state board of education which shall have general supervision of public schools, educational institutions and all the educational interests of the state, except educational functions delegated by law to the state board of regents. The state board of education shall perform such other duties as may be provided by law.

§ 5: Local public schools. *Local public schools under the general supervision of the state board of education shall be maintained, developed and operated by locally elected boards. When authorized by law, such boards may make and carry out agreements for cooperative operation and administration of educational programs under the general supervision of the state board of education, but such agreements shall be subject to limitation, change or termination by the legislature.*



Kathleen Sebelius, Governor
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH
AND ENVIRONMENT

www.kdheks.gov

**Testimony on
Senate Bill 384
Senate Education Committee
Presented by
Aaron Dunkel, Deputy Secretary
March 21, 2007**

Chairperson Schodorf and members of the committee, thank you for the opportunity to provide the department's comments relating to this bill, which requires the Legislative Educational Planning Committee and the 2010 Commission to study and make recommendations relating to early childhood education. My name is Aaron Dunkel and I am the Deputy Secretary of Kansas Department of Health and Environment. We support this bill, but we request the committee consider involving the agency to help achieve the goals of this bill. Specifically, we would like to play a role in preparing a plan for the transfer of powers and duties of this agency related to early childhood education services to the Office of Early Childhood Education Services.

The department has played a leadership role in financing and developing the state's early childhood plan, and also maintains the Infant-Toddler program, which is directly aimed at improving the educational success of developmentally delayed infants.

We believe that early childhood development is an integral part of early childhood education and ask that the committee consider our request. Thank you for the opportunity to testify on this bill, and I would be happy to stand for questions.

*Senate Education Committee
3-21-07*

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Attachment 3

*Testimony of Abby Thorman, PhD
March 21, 2007
Senior Strategic Advisor on Children, Youth and Families
Greater Kansas City Community Foundation*

Leaders in the state of Kansas are to be commended for considering this innovative and forward-looking legislation that will create better oversight and accountability for the state's the early childhood investments.

As some of you may know, science has proven that 90% of a child's brain development occurs in the first five years of life. What's more, numerous studies have shown that quality early childhood programs are the single most effective way to improve the K-12 system. The fact is, children who attend early childhood programs are far more likely to enter kindergarten ready to learn, read at grade level by third grade, and graduate from high school or even college. As a result, for every dollar we spend on quality early childhood education in Kansas, the state saves seven dollars in return.

With so much at stake, it's more important than ever to be sure that these investments are maximized to serve the largest possible number of children and families in the most efficient way possible.

Because there are (at least) 18 early childhood programs in Kansas spread over three departments with an annual investment of over \$140 million, it is worth investigating opportunities to reorganize these investments to better serve children and families.

In the last five years a number of states have undertaken reorganizations similar to what the legislation we're discussing today would do. The final results have varied from state to state but each case has produced one of three outcomes:

- 1) The creation of a new cabinet-level department, such as a Department of Early Care and Learning;
- 2) The creation of a new office within an existing department, such as an Office of Early Childhood Education within the Department of Education; and/or
- 3) Memorandums of understanding between different programs and funding streams to ensure the state investment is maximized and to avoid duplication of services.

Lessons Learned from other States

In studying these results, we've learned a number of important lessons:

1. *Cabinet secretaries should have a formal role in the reorganization:* Determining what programs should be moved, where they should go, and how to move record keeping and other functions is a time consuming process and requires careful planning and oversight. Involving the Cabinet secretaries and the appropriate leaders in this process has been critical to the success of reorganizations in other states,
2. *The planning process should build upon existing planning and resources:* All states were required by the federal government to create an early childhood

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Attachment 4*

- systems plan, and through that process collected a great deal of data and have contact with early childhood stakeholders across the state. This foundation should be used to jumpstart any planning process around governance,
3. *Sufficient staff support should be dedicated to making the planning and reorganization process happen well:* Any change in state government takes staff support to happen well; changing the way nearly \$150 million dollars spread across three departments in governed will require strong leadership, careful planning, and thoughtful oversight. Further, the vast majority of early childhood investment in most states is from the federal government, and each of these funding streams has requirements around spending and record keeping; ensuring all of these federal requirements can be addressed in any reorganization is important.
 4. *Early childhood stakeholders should be involved when possible in making decisions:* Change is always difficult, and involving early childhood leaders in governance changes has been important to the success of changes in other states. Successful activities have included listening tours, focus groups and other activities to engage the voices of service providers, advocacy groups, philanthropy, and other key stakeholders. Further, there is significant expertise represented in the staff leadership that oversees state investments in child care subsidy, services for children with special needs, Head Start programs, Smart Start, the 4 Year Old At-Risk and PreK Pilot preschool programs, and Parents as Teachers, among others. Others partners such as the state child care resource and referral network can also be helpful. This expertise should be looked to ensure the state's investments in children and families are maximized.

Recommendations

Based on the lessons learned and conversations with stakeholders, the following recommendations are suggested to the current legislation:

1. Appoint Secretaries of SRS and KDHE, the Commissioner of Education and Executive Director of the Children's Cabinet to a formal role in this reorganization. These leaders would report to the legislative committee regularly and work with the committee to create more oversight and accountability for the state's early childhood investments.
2. Access the resources created and the information gathered through the state Comprehensive Early Childhood Systems plan (www.keccs.org) and the resources gathered through the current audit that is taking place of state investments in early childhood.
3. Ensure there is sufficient staff and/or consultant support to make this planning and reorganization process happen well. Philanthropic foundations would be a logical, and easy, source of funding for this if needed.
4. Involve early childhood leaders and other stakeholders when possible in making decisions.

Thank you again for the opportunity to testify before you today and I am happy to answer any questions.

KANSAS CHILDREN'S CABINET AND TRUST FUND



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March 21, 2007

Chairman Schodorf and Members of the Senate Education Committee,

The Children's Cabinet and Trust Fund is committed to ensuring that Kansas has an early childhood system that is accountable and focused on outcomes for our youngest citizens. Working with stakeholders across the state we have developed and are implementing the Kansas Early Childhood Comprehensive Systems Plan. Over 150 educators, early childhood professionals, parents and caregivers have contributed their expertise to developing the plan. The vision of the Kansas Early Childhood Comprehensive Systems Plan is to make Kansas the best place to raise a child. The plan is organized into five goals to provide children birth through five with the resources they need to succeed in school and life.

We would like to continue the momentum that has been generated by the planning over the last year and offer our knowledge of early childhood programs in any way that can help inform and guide the development of a system that best serves young children and their families. Much of the groundwork has been laid to move an early childhood system in Kansas to the next level of programmatic and financial accountability. As we testified to earlier in the session, the Cabinet and Trust Fund has developed an accountability and evaluation framework for the Children's Initiative Fund. That framework is one of many tools that can be used to prospectively to help guide the planning of an effective early childhood system in the state.

The Cabinet has also led a group of key stakeholders and agency representatives to lay the groundwork and gather information in preparation for this effort. The time is right to raise this to the level of the Commissioner and Secretaries in the state agencies that deliver services for Kansas' youngest. I am encouraged by the opportunity to collaborate efforts in early childhood with the Commissioner of the Department of Education, Secretary for the Department of SRS and the Secretary for the Department of Health and Environment.

It is clear that every person involved in early childhood wants to ensure that Kansas children and parents have every opportunity to succeed in life. I believe the leaders referenced in the amendment are committed to working collaboratively to develop an accountable and data driven system to make that happen.

Respectfully,

Jim Redmon, MSW, MPH
Executive Director

Senate Education Committee

3-21-07

Attachment 5



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

**Terry Forsyth, Testimony
Senate Education Committee
March 21, 2007**

Senate Bill 384

Madam Chairman, members of the Committee, thank you for the opportunity to appear before you today to share our thoughts on Senate Bill 384.

We also support a comprehensive study including all the stakeholders that are affected by the potential recommendations regarding early childhood education in Kansas.

What perplexes us is the bill in Section 1, directive 13, then directions the committee and the commission to develop a plan to transfer the powers and duties of the childhood education services to the Office of Early Childhood Education Services and the plan shall provide the transfer of powers and duties shall occur on January 1, 2009. This sounds like a solution seeking a study. What would be the action of the committee and commission if, after testimony and study, that this particular solution is not the one recommended by the committee and commission?

In section 4 paragraph (a), it is our understanding that the state board of education is already progressing with implementation of licensing for early childhood education educators.

It is our understanding that the State Board of Education has started work on program goals for high quality preschool programs as mentioned in paragraph (c). We also are concerned that the State Board of Education is responsible for the professional development opportunities for teachers and administrators of preschool education programs when they are not responsible for the professional development of any other groups in the state.

It is also of concern to us that no where in the bill is specifically mentioned early childhood special education programs and the current requirements of IDEA.

Because of these concerns, we are neutral on the bill.

*Senate Education Committee
3-21-07*