

## MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:40 p.m. on March 22, 2007, in Room 123-S of the Capitol.

Committee members absent: Chris Steineger  
Ralph Ostmeyer

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

Conferees appearing before the committee: None

Continued discussion on: **SB 384 – Concerning early childhood education services**

Senator Schodorf informed the Committee that a group of the four stakeholders (Kansas Department of Health and Environment, Kansas Department of SRS, Kansas Department of Education, and Kansas Children's Cabinet) met earlier in the day and developed an amendment for **SB 384**. Theresa Kierman, Revisor of Statutes Office, distributed copies of the balloon amendment. (Attachment 1) She explained that the balloon strikes all of the current provisions in the bill and reinserts the study portion of the original bill with several changes to that section. She reviewed the provisions in Section 1 as shown on the last two pages of the balloon. She noted that paragraphs (1) through (12) have the same provisions that were in the original bill except the term "early childhood care and education services" are used instead of "early childhood education".

She noted that the provisions in paragraph (13) in the original bill addressed the formation a new agency and a plan to provide for the transfer of all the powers to that agency. As shown in the balloon, (13) provides that the study would determine whether or not all or a portion of the early childhood care and education services provided by various state agencies should be consolidated into a single state agency or reorganized among one or more agencies and that a plan for such consolidation or reorganization be prepared. Ms. Kiernan went on to review the provisions in Subsections (b), (c), and (d) concerning the duties of the coordinating council.

Jim Edwards, Kansas Association of School Boards, commented that, after the Education Committee met on March 21, there was a sense that the Committee wanted to continue posthaste with early childhood learning legislation; therefore, a group of stakeholders met during the morning of March 22 to develop the balloon amendment. He clarified that KASB did not participate in the preparation of the amendment. He recalled that it was determined at the March 21 meeting that there was a need to look at two separate issues – the structure of the group itself and how the different pieces fit once you have that structure. The stakeholders attempted to address the issues through the balloon amendment. He commented, "The thing that we wanted to do with this document was to make sure that this session of the Legislature dealt with this issue."

Senator Vratil commented, "I appreciate what the group has attempted to do in drafting this, but I don't believe what they're proposing is anything close to what the Task Force intended. The Task Force met for six to eight weeks on numerous occasions, thoroughly considered a lot of testimony that we heard. They felt, I think without exception, that LEPC and the 2010 Commission were the appropriate bodies to do this study. Upon recommendation of Abby yesterday, we contemplated adding the Commissioner of Education and the Secretary of SRS and KDHE. Certainly, when I was contemplating that, I did not have in mind those people appointing proxies to stand in for them. I think it's very important that those secretaries and commissioners be involved themselves so that they are invested in it, and we have direct input from the people who ultimately will be making the decisions. Once again, I appreciate the effort, but I think it misses the mark of what the Task Force intended." He went on to say, "I think the way we were headed yesterday was the right direction; to implement Section 1 next year and leave the subsequent sections for later consideration. What I would do is just amend **SB 384** by deleting everything after Section 1, and I would add a provision wherever the revisor felt it was necessary indicating that the Commissioner of Education, the Secretary of SRS, the Secretary of Health and Environment, and the Executive Director of the Children's Cabinet would be ex-officio members of the 2010 Commission and LEPC for purposes of this study. I think it's very important that we have those people at the table and not somebody that they send to represent them."

## CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:40 p.m. on March 22, 2007, in Room 123-S of the Capitol.

Mr. Edwards explained that the stakeholders did not see paragraph (13) as being a replacement for a group already in existence, the Early Learning Coordinating Council. They saw it as being an add on to what they would provide. The other issue was, LEPC does not have members that represent the other stakeholders.

Senator Vratil said that the Task Force clearly believed that the coordinating group for early childhood education should either be an independent state agency or part of one state agency. Members felt the current situation where responsibility for the various childhood education programs is divided among the Department of Education, SRS, KDHE, and Juvenile Justice was part of the problem because it is splintered among several state agencies, and there is little or no coordination or collaboration among those agencies. Therefore, the Task Force wrote in paragraph (13) that the plan should recommend whether or not the office of early childhood education service should be an independent state agency or within an existing state agency. However, (13) in the proposed balloon offers as another alternative dividing it up among agencies again, which the Task Force felt had been a failure in the past.

Senator Teichman moved to amend **SB 384** by striking Sections 2 through 5, seconded by Senator Vratil. The motion carried.

Senator Vratil moved to further amend **SB 384** by adding a provision making the Commissioner of Education, the Secretary of the Department of SRS, the Secretary of the Department of Health and Environment, and the Executive Director of the Kansas Children's Cabinet ex-officio members of the 2010 Commission and the Legislative Educational Planning Committee for purposes of doing the study that is called for in **SB 384** and by inserting language in the appropriate place as determined by the revisor to indicate who is in charge of calling the meetings, seconded by Senator Lee. The motion carried.

Senator Teichman suggested that perhaps a compromise could be reached on paragraph (13) to satisfy everyone. She recalled that conferees expressed concern that (13) assumes the outcome of the study. In response, Senator Vratil said that the Task Force decided that the coordinating body for early childhood education should either be a free-standing agency or a part of some existing agency and that there should be plan for a transfer of power from the various departments listed to one agency, and the Task Force did not intend to give the study group the discretion to consider other things.

After further discussion, the Committee requested that Senator Jordan, who was the Chairman of the Senate Task Force on K-12, to respond to the questions regarding the recommendations by the Task Force. Senator Jordan confirmed that the Task Force's intent was to have early childhood education services under one agency; however, he noted that other states have an office for early childhood education services, but everything under that office is not necessarily located at that agency. He commented, "I think the reason we designed the bill the way we did was, we were hoping people would sit down and come to a good, common sense conclusion about how to organize this office. Again, our goal is to have the best coordinated, efficient, quality early childhood education system that we can have in the state of Kansas. The complication of the funding stream is pretty significant in the whole process and in the system. So I guess I'd say, Senator Vratil, yes, I think it would be best to be that way, but I think we designed the bill so that if that's not the best, whatever is not under the main umbrella, the main agency has to be connected to it and has to have some kind of direction from that main agency or you lose the whole coordination direction thrust that we're trying to accomplish in this bill. I guess what I'm saying is, it doesn't necessarily have to be all in one place, but it needs somehow to be answerable to one place in some way so that the communication, direction, coordination, and everything else is there. Otherwise, you're in the same position that you are in today. I think that what we were trying to do is design some flexibility in the bill so that those kind of things can be hammered out so that we don't mess up somebody's federal funding streams and that we don't make somebody suffer for what we're trying to do. I personally think it would be great if they could all be in one place, but I'm not sure that's practical."

Senator Vratil moved to recommend **SB 384** favorably for passage as amended with the opportunity for floor amendments, seconded by Senator Teichman. The motion carried.

The meeting was adjourned at 2:30 p.m. No further meetings are scheduled.

**SENATE EDUCATION COMMITTEE  
GUEST LIST**

DATE: March 22, 2007

NAME	REPRESENTING
Sue Gamble	S Bd of Ed
Yvonne Crow	SRS
Diane Gjerstad	Wichita Public Schools
<del>Pat Damm</del>	<del>Coalition for Early Learning</del>
Val DeFevr	SQE
Jim Edwards	KASB
Harleigh Benga	Student
Dodie Wellshear	USA/Kansas
TERRY FORSYTH	KWEA
Bill Brady	STFF
Fleen Meyer	KDHE
James Newton	KDHE
Carol Duibel	<del>NDHE</del>
Elaine Frisbie	Division of the Budget

## SENATE BILL No. 384

By Committee on Ways and Means

3-19

9 AN ACT concerning early childhood education services.

10

11 *Be it enacted by the Legislature of the State of Kansas:*

12 Section 1. (a) The legislative educational planning committee in col-  
13 laboration with the 2010 commission shall study and make recommen-  
14 dations relating to early childhood education. The committee and com-  
15 mission shall:

16 (1) Develop a coordinated, comprehensive system for the delivery of  
17 early childhood education services;

18 (2) identify priorities for early childhood education services;

19 (3) identify barriers to service and gaps in service due to strict defi-  
20 nition of boundaries between departments and agencies;

21 (4) facilitate interagency and interdepartmental cooperation toward  
22 the common goal of serving children;

23 (5) investigate and identify methodologies for the combining of funds  
24 across departmental boundaries to better serve children;

25 (6) propose actions needed to achieve coordination of funding and  
26 services across departmental lines;

27 (7) encourage and facilitate joint planning and coordination between  
28 the public and private sectors to better serve the needs of children;

29 (8) determine whether a centralized internet-based reporting system  
30 would provide a more efficient and effective system to comply with re-  
31 porting requirements imposed by law;

32 (9) make recommendations relating to the design of a universal ap-  
33 plication form and single point of access for families in need of early  
34 childhood education services;

35 (10) evaluate and report on the performance and cost effectiveness  
36 of early childhood education services and make recommendations nec-  
37 essary to ensure that private entities and public agencies are accountable  
38 for the progress of children and that such services produce high quality  
39 opportunities for children;

40 (11) make recommendations to improve communication with local  
41 agencies which provide early childhood education services in order to  
42 keep such local agencies informed of the availability of state and federal  
43 moneys for early childhood education services and make recommenda-

Revisor of Statutes

Senate Education Committee  
3-22-07  
Attachment 1

1 tions to assist such local agencies in obtaining such state and federal mon-  
2 eys and the utilization of such moneys so as to avoid waste and abuse;

3 (12) conduct hearings to receive a wide variety of input from individ-  
4 uals and groups affected by and concerned with the quality, efficiency  
5 and cost of early childhood education services; and

6 (13) prepare a plan for the transfer of the powers and duties of the  
7 state department of social and rehabilitation services, state department  
8 of education, Kansas department of health and environment, Kansas chil-  
9 dren's cabinet, juvenile justice authority and any other state agency re-  
10 lating to the administration of early childhood education services to the  
11 office of early childhood education services. The plan shall provide that  
12 the transfer of powers and duties shall occur on or before January 1, 2009.  
13 The plan shall recommend whether or not the office of early childhood  
14 education services should be an independent state agency or within an  
15 existing state agency and if so, which existing state agency.

16 (b) On or before December 31, 2007, the legislative educational plan-  
17 ning committee shall submit a report of its activities to the governor and  
18 the legislature. Such report shall include the recommendations adopted  
19 by the committee and the 2010 commission and a copy of the plan  
20 adopted pursuant to paragraph (13) of subsection (a). The report shall  
21 include recommendations for changes in the law which are necessary to  
22 implement such recommendations and plan.

23 Sec. 2. State and local agencies which provide preschool at risk ed-  
24 ucation services shall enter into memoranda of understanding under  
25 which such agencies will develop consistent strategies for informing par-  
26 ents of the programs for which they are eligible, and to coordinate the  
27 referral of families to the education services which are most appropriate  
28 for their needs.

29 Sec. 3. State and local agencies which provide home visitation pro-  
30 grams shall enter into memoranda of understanding under which, such  
31 agencies will (a) design a universal application form to be used by such  
32 agencies to determine eligibility of families for services and for the re-  
33 ferral of families to the early childhood education services which are most  
34 appropriate for their needs and (b) collaborate to develop and imple-  
35 ment a common training plan.

36 Sec. 4. (a) The state board of education shall develop and implement  
37 an alternative or provisional license for preschool teachers. No person  
38 shall qualify for an alternative or provisional license under this subsection,  
39 unless such person holds a valid license in the field of education other  
40 than as a preschool teacher. The alternative certification program shall  
41 include opportunities for distance education.

42 (b) The alternative certification program shall be reviewed at least  
43 once every five years to evaluate the effectiveness of the program.

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1 (e) The state board of education shall establish program goals and  
2 objectives for high quality preschool programs.

3 (d) The state board of education shall provide professional develop-  
4 ment opportunities to teachers and administrators of preschool education  
5 programs.

6 (e) The state board of education shall assist with the development of  
7 self study and self evaluation processes and the development of improve-  
8 ment plans for preschool education programs.

9 Sec. 5. When expending moneys appropriated for early childhood  
10 education services, the department of education shall give first priority to  
11 community-based programs which provide early childhood education  
12 services which did not receive moneys in the preceding fiscal year.

13 As used in this section, "moneys" means 20% of that amount of moneys  
14 appropriated for fiscal year 2008 which exceeds the amount of moneys  
15 appropriated for fiscal year 2007.

16 Sec. 6. This act shall take effect and be in force from and after its  
17 publication in the statute book.

See Attached

Section 1. (a) The commissioner of education, the secretary of the Kansas department of health and environment, the secretary of the department of social and rehabilitation services and the executive director of the Kansas children's cabinet shall appoint and coordinate an early learning coordinating council. Members of the council shall consist of persons with interest, knowledge and experience in early childhood care and education. At the direction of the 2010 commission, the coordinating council shall study:

(1) Develop a coordinated, comprehensive system for the delivery of early childhood care and education services;

(2) identify priorities for early childhood care and education services;

(3) identify barriers to service and gaps in service due to strict definition of boundaries between departments and agencies;

(4) facilitate interagency and interdepartmental cooperation toward the common goal of serving children;

(5) investigate and identify methodologies for the combining of funds across departmental boundaries to better serve children;

(6) propose actions needed to achieve coordination of funding and services across departmental lines;

(7) encourage and facilitate joint planning and coordination between the public and private sectors to better serve the needs of children;

(8) determine whether a centralized internet-based reporting system would provide a more efficient and effective system to comply with reporting requirements imposed by law;

(9) make recommendations relating to the design of a universal application form and single point of access for families in need of early childhood care and education services;

(10) evaluate and report on the performance and cost effectiveness of early childhood care and education services and make recommendations necessary to ensure that private entities and public agencies are accountable for the progress of children and that such services produce high quality opportunities for children;

(11) make recommendations to improve communication with local agencies which provide early childhood care and education services in order to keep such local agencies informed of the availability of state and federal moneys for early childhood care and education services and make recommendations to assist such local agencies in obtaining such state and federal moneys and the utilization of such moneys so as to avoid waste and abuse;

(12) conduct hearings to receive a wide variety of input from individuals and groups affected by and concerned with the quality, efficiency and cost of early childhood care and education services; and

(13) determine whether or not all or a portion of the early childhood care and education services provided by various state agencies should be consolidated into a single state agency or reorganized among one or more agencies and prepare a plan for such consolidation or reorganization.

(b) The executive director of the children's cabinet shall serve as the chairperson of the coordinating council. Meetings shall be called by the chairperson or at the request of the majority of the members of the coordinating council.

*No later than* (c) ~~Beginning in~~ August 2007, and monthly thereafter, the coordinating council shall provide monthly reports to the 2010 commission of the activities of the council. On or before November 15, 2007, the coordinating council shall submit its final report to the 2010 commission.

Such report shall include the recommendations adopted by the coordinating council and a copy of any plan adopted pursuant to paragraph (13) of subsection (a). The report shall include recommendations for changes in the law which are necessary to implement such recommendations and plan.

(d) After considering the recommendations of the coordinating council, the 2010 commission shall adopt ~~its~~ recommendations concerning the coordination and delivery of early childhood care and education services. On or before January 14, 2008, the 2010 commission shall submit a report of its activities to the governor and to the senate committee on ways and means and the house committee on appropriations. Such report shall include the recommendations adopted by the commission. The report shall include recommendations for changes in the law which are necessary to implement the recommendations of the 2010 commission.