

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:35 p.m. on February 26, 2008, in Room 123-S of the Capitol.

Committee members absent: Anthony Hensley- excused

Committee staff present: Sharon Wenger, Kansas Legislative Research Department
Carol Toland, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Matt Todd, Revisor of Statutes Office
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: None

Report of the Senate Education Subcommittee on Virtual Schools

Senator John Vratil, Chairman of the subcommittee on virtual schools, distributed copies of the Report to the Senate Education Committee, which was prepared by the Kansas Legislative Research Department. (Attachment 1) He informed the Committee that the subcommittee met four times in February. The subcommittee received input from Legislative Research staff, Legislative Post Audit, representatives of virtual schools across the state, and the subcommittee also considered the minutes of a December 6, 2007, conference meeting that was attended by 20 out of 25 virtual schools across the state. He briefly summarized the subcommittee's conclusion and recommendations, which were summarized on page two of the report. He reported that the subcommittee recommended that the Senate Education Committee request the introduction of a bill to implement the recommendations of the subcommittee and that the bill be introduced during the 2008 session through an exempt committee.

Senator Ostmeyer moved to introduce a bill concerning virtual schools as recommended by the subcommittee, seconded by Senator Pine. The motion carried.

ACTION ON BILLS PREVIOUSLY HEARD:**SB 399 – School districts; mandatory attendance of kindergarten, age of eligibility**

Theresa Kiernan, Revisor of Statutes Office, reviewed the provisions in the bill. She then distributed copies of a balloon amendments on page 6 and 7 of the bill wherein original language was stricken and new language was inserted to provide that no child shall be required to attend kindergarten if the child is a member of a religious denomination which objects to the attendance of kindergarten and if a written statement is filed with the board of education of the school district in which the child resides. (Attachment 2)

Senator Lee moved to amend SB 399 as shown in the balloon, seconded by Senator Teichman. The motion carried.

Senator Vratil moved to amend SB 399 on page 4, line 11, by striking the word “seven” and inserting the word “six”, seconded by Senator Teichman. The motion carried.

Senator Apple moved to recommend SB 399 favorably for passage as amended, seconded by Senator Pine. The motion carried.

SB 407 – Transfer of authority of certain early childhood education programs to Kansas State Department of Education

Sharon Wenger, Kansas Legislative Research Department, distributed copies of a chart comparing the provisions in SB 407 with current law and the Governor's proposal. (Attachment 3)

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:35 p.m. on February 26, 2008, in Room 123-S of the Capitol.

In response to questions raised by the Committee about the federal Head Start program, Mary Basket, Director of the Kansas Head Start Association, explained that federal Head Start does not have a state administrative component. The federal dollars go directly from Washington to the local programs. However, there is a Head Start collaboration office in each state. In Kansas, the collaboration office is housed in SRS, but SRS has no administrative funding or oversight responsibility for Head Start. She further explained that there are 24 Head Start programs based in Kansas. Of those 24, 15 have Early Head Start programs, and they have a strong connection with Head Start. Some federal dollars go directly to local programs for Early Head Start. There are also dollars that go through the state for the Kansas Early Head Start program, and that funding is allocated by the Legislature. She also explained that some of the Kansas Head Start programs are part of the pre-k pilot, depending in the community.

Senator Steineger moved to recommend SB 407 favorably for passage, seconded by Senator Vratil. The motion carried.

Senator Schodorf called attention to the minutes of the February 19 and 20 meetings.

Senator Apple moved to approve the minutes of the February 19 and 20 meetings, seconded by Senator Ostmeyer. The motion carried.

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

The next meeting is scheduled for February 27, 2008.

SENATE EDUCATION COMMITTEE
GUEST LIST

DATE: February 26, 2008

NAME	REPRESENTING
Allyn Denning	Senator Lee's INTERN
Mike Rees	KIZ Inc.
Gary R	USD 497
Mike Shields	KHI News
Tom Kuh	KASB
Dodie Wellshear	USA/Kansas
Xenia Rai	KCSL
Effie Swanson	Sen D Schmidt
Deidre Grayson	KHLAC
Shelley Mayse	Ks Coalition for School Readiness
Rita Kancel	" "
Marylee Griffiths	USD 500 KC Ks Public Schools
Olivia Martin	Kingman, KS
Scott Carter	Kingman, KS USD 331
Tracy Reper	KCSL
Kelly Hayes	KCSL
Val DeFoor	SPE
Lindsey Douglas	Hein Law Firm
Katie Firebaugh	karnet

SENATE EDUCATION COMMITTEE
GUEST LIST

DATE: February 26, 2008

NAME	REPRESENTING
Dawn Phelps	Early Head Start, Clay Center, KS
Marsha Habluetzel	Head Start, Clay Center, KS,
Doug Bowman	CCECDs
David Lindeman	KS ICC
Bill Brady	SFFF
Stacy Little	Shawnee Mission S12
Ed Meaf	LITTLE BOYS RELATIONS
Pat Woods	SRD
M. Kelly	KASB
Bob Weaver	Blue Valley USD 229
Dany Mays	SOI

Report of the Senate Education
Subcommittee on Virtual Schools
to the Senate Education Committee

CHAIRPERSON: Senator John Vratil

OTHER MEMBERS: Senators Barbara Allen, Janis Lee, Ralph Ostmeyer, and Roger Pine

February 2008

Senate Education Committee
2-26-08
Attachment 1

Report of the Senate Education Subcommittee on Virtual Schools

TO THE SENATE EDUCATION COMMITTEE

CONCLUSIONS AND RECOMMENDATIONS

Definition of Virtual School. "Virtual school" means any school or educational program that: (a) Is offered for credit; (b) uses distance-learning technologies which predominately use Internet based methods to deliver instruction; (c) involves instruction that occurs asynchronously with the teacher and student in separate locations; (d) requires the student to make academic progress toward the next grade level and matriculation from kindergarten through high school graduation; (e) requires the student to demonstrate competence in subject matter for each class or subject in which the student is enrolled as part of the virtual school; and (f) requires age-appropriate students to complete state assessment tests.

Teacher Training. Under the proposed legislation, school districts will be required to provide adequate training to teachers who teach in virtual programs or in virtual schools. In addition, such school districts would be required to submit annual reports to the State Board of Education relating to virtual school teacher training programs offered or provided by the district.

Funding. In order to determine the enrollment of virtual school pupils in a district, districts would determine the average of the number of pupils in attendance on one day which precedes September 20 of the school year and the number of pupils in attendance on one day which follows September 20 of the school year. The second date shall occur prior to October 4th of the school year. Attendance would be shown by on-line activity or by entry in the pupil's virtual school log or journal.

In lieu of the weightings which are assigned to the enrollment of districts under the School Finance Law, districts would receive an amount per pupil equal to the amount of base state aid per pupil plus 14 percent.

Administration. The State Board of Education would be given the authority to adopt rules and regulations for the administration of virtual schools.

Proposed Legislation: The Subcommittee recommends the introduction of one bill.

BACKGROUND

Senator Jean Kurtis Schodorf, Chairperson of the Senate Education Committee, requested the following members of the Senate Education Committee form a subcommittee to study issues related to virtual schools and bring recommendations back to the Committee. Those members appointed to the subcommittee were Senators John Vratil, Chairperson, Barbara Allen, Janis Lee, Ralph Ostmeyer, and Roger Pine.

This issue regarding virtual schools originated with a request by the Legislative Coordinating Council to the Legislative Education Planning Committee (LEPC) to study issues related to the state regulation and oversight of virtual schools; review the Legislative Post Audit report, *K-12 Education: Reviewing Issues Related to Virtual Schools*; study whether the state should control the growth of virtual schools; review whether the current state funding adequately compensates or overcompensates school districts for virtual education; determine whether the current oversight of virtual schools sufficiently ensures their quality and accountability; and review whether the current requirements for school attendance are applicable to virtual schools. In response to this request, the LEPC conducted a hearing on these topics during the 2007 Interim Legislative Session.

As a result of this hearing, LEPC members requested the Department of Education work with school district superintendents operating virtual schools to develop a proposal for funding virtual schools in a way that more accurately reflects the actual costs of operation as well as discuss attendance policies for virtual schools and provide information on these items to the House and Senate Education Committees during the 2008 Legislative Session.

Department of Education Proposal

Department of Education officials convened a conference call in December of 2007 to discuss these topics. Twenty of the state's 25 school districts operating virtual schools containing over 10.0 full-time equivalent students participated in the lengthy conference call resulting in a consensus as follows.

Regarding Base State Aid Per Pupil and other weighting, the consensus appears below.

First Choice Option: Current law and funding amounts stay the same.

Second Choice Option: Eliminate all weightings (current weightings add about an additional 34 percent to the Base State Aid per Pupil) and compute the general fund budget by multiplying the number of virtual school students by the Base State Aid per Pupil plus 25 percent. The 25 percent was intended to cover indirect costs, such as utilities, insurance, facilities maintenance, transportation to meetings and home visits, counseling, transcript reviews, coordination of state assessments, data reporting, maintenance of records, and all other activities associated with managing students.

Regarding the enrollment count, the consensus was to amend the enrollment count to require that a student must be in attendance at least one day prior to the 20th day of September (current enrollment count date for all school districts) and one day following the 20th, but no later than October 4. This is the current procedure used for counting virtual school students.

Regarding compulsory school attendance, the consensus was that the current compulsory school attendance law applies to virtual school students requiring truancy be reported to parents, the Kansas Department of Social and Rehabilitation Services or the county attorney.

The Subcommittee on Virtual Schools met for the first time on February 4, 2007. Legislative Research staff provided information on the operation of virtual schools and online learning in other states. The pros and cons of Kansas developing a state-operated online school, as is done in several other states, were discussed. On the positive side, a state-led program could provide standardization across programs and the state, the Legislature might have easier oversight, and higher quality programming might be assured. The disadvantages include a lack of flexibility at the local level and the loss of the ability to respond more quickly to local needs. The Subcommittee agreed that developing a state-operated online school was not desirable.

Gary Lewis, Administrator, Lawrence Virtual School and Brenda DeGroot, Director, Basehor-Linwood Virtual School addressed the Subcommittee. Mr. Lewis told the Subcommittee that because each virtual school in Kansas was independently operated and, thus, competitive with other schools, programs had to be of high quality or students would go elsewhere for online education. He also mentioned that virtual school students take state assessment tests which assure accountability.

Ms. DeGroot discussed her virtual school which has an elementary school component primarily consisting of students who are homeschooled.

When discussing how they ensure work is accomplished by the students, both Mr. Lewis and Ms. DeGroot indicated the teachers have a system checking each student individually. Mr. Lewis clarified that there is no requirement that students spend at least six hours per day on-line; rather checking by teachers ensures accountability.

Other issues discussed include the following:

- Virtual school students have access to counselors and all other resources via the school district where the student resides, including traditional at-risk programming provided in traditional locations in school buildings.
- Students participate in virtual school for three primary reasons, *i.e.*, they are homeschooled, they want enrichment, or for medical reasons.
- If a virtual school is in a district receiving low enrollment weighting, then virtual school students have that weight applied as well.

Subsequent subcommittee meetings occurred on February 7, 14, and 20. At the February 14 meeting, Subcommittee members agreed upon recommendations as appear earlier in this report, except for one difference. The Subcommittee agreed with the consensus of virtual school district administrators regarding funding, which is using the Base State Aid Per Pupil plus 25 percent formula as a multiplier with virtual school students. However, upon calculation of this formula by Department of Education staff, it was determined that this formula would result in a funding increase for virtual schools of approximately \$1.3 million. Because of this additional funding, the Subcommittee reconsidered its funding recommendation and agreed to recommend a funding formula that was very nearly expense neutral. The formula that would most nearly be expense neutral would be one that multiplies the virtual school student count by 1.14 percent. Details of this formula and how it will affect Kansas virtual schools is attached in Attachment 1. Attachments 2 through four show the other funding formulas considered by the Subcommittee.

Estimated 2007-08 Virtual Programs with Over 10.0 FTE Students

USD #	County	District	Col (1)	Col (2)	Col (3)	Col (4)	Col (5)	Col (6)	Col (7)
			Virtual Student FTE	Col (1) x \$4374	Low/High Enrollment State Aid	At Risk State Aid	Total for Virtual	New Proposal at 1.14	Col (6)-Col (5) Difference
D0202	Wyandotte	Tumer	30.6	133,844	4,690	1,653	140,188	152,583	12,395
D0218	Morton	Elkhart	116.5	509,571	184,402	24,801	718,774	580,911	(137,863)
D0253	Lyon	Emporia	52.6	230,072	8,062	13,227	251,361	262,283	10,921
D0259	Sedgwick	Wichita	229.0	1,001,646	35,098	44,641	1,081,385	1,141,876	60,492
D0261	Sedgwick	Haysville	25.0	109,350	3,832	9,920	123,102	124,659	1,557
D0262	Sedgwick	Valley Center	22.5	98,415	3,448	0	101,863	112,193	10,330
D0266	Sedgwick	Maize	283.0	1,237,842	43,374	54,561	1,335,777	1,411,140	75,363
D0299	Lincoln	Sylvan Grove	11.0	48,114	41,917	0	90,031	54,850	(35,181)
D0320	Pottawatomie	Wamego	12.5	54,675	7,711	0	62,386	62,330	(57)
D0356	Sumner	Conway Springs	21.0	91,854	36,173	0	128,027	104,714	(23,314)
D0374	Haskell	Sublette	32.1	140,405	58,585	13,227	212,217	160,062	(52,155)
D0375	Butler	Circle	12.5	54,675	2,454	0	57,129	62,330	5,200
D0383	Riley	Manhattan	208.3	911,104	31,925	3,307	946,336	1,038,659	92,323
D0385	Butler	Andover	19.3	84,418	2,958	0	87,376	96,237	8,861
D0400	McPherson	Smoky Valley	48.0	209,952	51,305	8,267	269,523	239,345	(30,178)
D0424	Kiowa	Mullinville	95.2	416,405	357,250	87,629	861,284	474,701	(386,582)
D0436	Montgomery	Caney	11.4	49,864	15,690	9,920	75,474	56,845	(18,629)
D0447	Montgomery	Cherryvale	151.8	663,973	184,558	11,574	860,105	756,929	(103,175)
D0453	Leavenworth	Leavenworth	179.0	782,946	27,434	13,227	823,607	892,558	68,951
D0458	Leavenworth	Basehor-Linwood	321.9	1,407,991	49,336	0	1,457,327	1,605,109	147,783
D0489	Ellis	Hays	12.1	52,925	1,855	1,653	56,433	60,335	3,902
D0490	Butler	El Dorado	16.0	69,984	2,452	13,227	85,663	79,782	(5,881)
D0497	Douglas	Lawrence	778.3	3,404,284	119,286	13,227	3,536,797	3,880,884	344,087
D0499	Cherokee	Galena	12.0	52,488	17,692	16,534	86,714	59,836	(26,878)
D0512	Johnson	Shawnee Mission	27.5	120,285	4,215	1,653	126,153	137,125	10,972
Total			2,729.1	11,937,083	1,295,702	342,248	13,575,034	13,608,275	33,241

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Estimated 2007-08 Virtual Programs with Over 10.0 FTE Students

USD #	County	District	Col (1)	Col (2)	Col (3)	Col (4)	Col (5)	Col (6)	Col (7)
			Virtual Student FTE	Col (1) x \$4374	Low/High Enrollment State Aid	At Risk State Aid	Total for Virtual	New Proposal at 1.00	Col (6)-Col (5) Difference
D0202	Wyandotte	Turner	30.6	133,844	4,690	1,653	140,188	133,844	(6,343)
D0218	Morton	Elkhart	116.5	509,571	184,402	24,801	718,774	509,571	(209,203)
D0253	Lyon	Emporia	52.6	230,072	8,062	13,227	251,361	230,072	(21,289)
D0259	Sedgwick	Wichita	229.0	1,001,646	35,098	44,641	1,081,385	1,001,646	(79,739)
D0261	Sedgwick	Haysville	25.0	109,350	3,832	9,920	123,102	109,350	(13,752)
D0262	Sedgwick	Valley Center	22.5	98,415	3,448	0	101,863	98,415	(3,448)
D0266	Sedgwick	Maize	283.0	1,237,842	43,374	54,561	1,335,777	1,237,842	(97,935)
D0299	Lincoln	Sylvan Grove	11.0	48,114	41,917	0	90,031	48,114	(41,917)
D0320	Pottawatomie	Wamego	12.5	54,675	7,711	0	62,386	54,675	(7,711)
D0356	Sumner	Conway Springs	21.0	91,854	36,173	0	128,027	91,854	(36,173)
D0374	Haskell	Sublette	32.1	140,405	58,585	13,227	212,217	140,405	(71,812)
D0375	Butler	Circle	12.5	54,675	2,454	0	57,129	54,675	(2,454)
D0383	Riley	Manhattan	208.3	911,104	31,925	3,307	946,336	911,104	(35,232)
D0385	Butler	Andover	19.3	84,418	2,958	0	87,376	84,418	(2,958)
D0400	McPherson	Smoky Valley	48.0	209,952	51,305	8,267	269,523	209,952	(59,571)
D0424	Kiowa	Mullinville	95.2	416,405	357,250	87,629	861,284	416,405	(444,879)
D0436	Montgomery	Caney	11.4	49,864	15,690	9,920	75,474	49,864	(25,610)
D0447	Montgomery	Cherryvale	151.8	663,973	184,558	11,574	860,105	663,973	(196,132)
D0453	Leavenworth	Leavenworth	179.0	782,946	27,434	13,227	823,607	782,946	(40,661)
D0458	Leavenworth	Basehor-Linwood	321.9	1,407,991	49,336	0	1,457,327	1,407,991	(49,336)
D0489	Ellis	Hays	12.1	52,925	1,855	1,653	56,433	52,925	(3,508)
D0490	Butler	El Dorado	16.0	69,984	2,452	13,227	85,663	69,984	(15,679)
D0497	Douglas	Lawrence	778.3	3,404,284	119,286	13,227	3,536,797	3,404,284	(132,513)
D0499	Cherokee	Galena	12.0	52,488	17,692	16,534	86,714	52,488	(34,226)
D0512	Johnson	Shawnee Mission	27.5	120,285	4,215	1,653	126,153	120,285	(5,868)
Total			2,729.1	11,937,083	1,295,702	342,248	13,575,034	11,937,083	(1,637,950)

SF8030

Estimated 2007-08 Virtual Programs with Over 10.0 FTE Students

USD #	County	District	Col (1)	Col (2)	Col (3)	Col (4)	Col (5)	Col (6)	Col (7)
			Virtual Student FTE	Col (1) x \$4374	Low/High Enrollment State Aid	At Risk State Aid	Total for Virtual	New Proposal at 1.07	Col (6)-Col (5) Difference
D0202	Wyandotte	Turner	30.6	133,844	4,690	1,653	140,188	143,214	3,026
D0218	Morton	Elkhart	116.5	509,571	184,402	24,801	718,774	545,241	(173,533)
D0253	Lyon	Emporia	52.6	230,072	8,062	13,227	251,361	246,177	(5,184)
D0259	Sedgwick	Wichita	229.0	1,001,646	35,098	44,641	1,081,385	1,071,761	(9,623)
D0261	Sedgwick	Haysville	25.0	109,350	3,832	9,920	123,102	117,005	(6,097)
D0262	Sedgwick	Valley Center	22.5	98,415	3,448	0	101,863	105,304	3,441
D0266	Sedgwick	Maize	283.0	1,237,842	43,374	54,561	1,335,777	1,324,491	(11,286)
D0299	Lincoln	Sylvan Grove	11.0	48,114	41,917	0	90,031	51,482	(38,549)
D0320	Pottawatomie	Wamego	12.5	54,675	7,711	0	62,386	58,502	(3,884)
D0356	Sumner	Conway Springs	21.0	91,854	36,173	0	128,027	98,284	(29,744)
D0374	Haskell	Sublette	32.1	140,405	58,585	13,227	212,217	150,234	(61,983)
D0375	Butler	Circle	12.5	54,675	2,454	0	57,129	58,502	1,373
D0383	Riley	Manhattan	208.3	911,104	31,925	3,307	946,336	974,881	28,545
D0385	Butler	Andover	19.3	84,418	2,958	0	87,376	90,327	2,951
D0400	McPherson	Smoky Valley	48.0	209,952	51,305	8,267	269,523	224,649	(44,875)
D0424	Kiowa	Mullinville	95.2	416,405	357,250	87,629	861,284	445,553	(415,731)
D0436	Montgomery	Caney	11.4	49,864	15,690	9,920	75,474	53,354	(22,119)
D0447	Montgomery	Cherryvale	151.8	663,973	184,558	11,574	860,105	710,451	(149,653)
D0453	Leavenworth	Leavenworth	179.0	782,946	27,434	13,227	823,607	837,752	14,145
D0458	Leavenworth	Basehor-Linwood	321.9	1,407,991	49,336	0	1,457,327	1,506,550	49,223
D0489	Ellis	Hays	12.1	52,925	1,855	1,653	56,433	56,630	197
D0490	Butler	El Dorado	16.0	69,984	2,452	13,227	85,663	74,883	(10,780)
D0497	Douglas	Lawrence	778.3	3,404,284	119,286	13,227	3,536,797	3,642,584	105,787
D0499	Cherokee	Galena	12.0	52,488	17,692	16,534	86,714	56,162	(30,552)
D0512	Johnson	Shawnee Mission	27.5	120,285	4,215	1,653	126,153	128,705	2,552
Total			2,729.1	11,937,083	1,295,702	342,248	13,575,034	12,772,679	(802,354)

SF8029

Estimated 2007-08 Virtual Programs with Over 10.0 FTE Students

USD #	County	District	Col (1)	Col (2)	Col (3)	Col (4)	Col (5)	Col (6)	Col (7)
			Virtual Student FTE	Col (1) x \$4374	Low/High Enrollment State Aid	At Risk State Aid	Total for Virtual	New Proposal at 1.25	Col (6)-Col (5) Difference
D0202	Wyandotte	Turner	30.6	133,844	4,690	1,653	140,188	167,306	27,118
D0218	Morton	Elkhart	116.5	509,571	184,402	24,801	718,774	636,964	(81,810)
D0253	Lyon	Emporia	52.6	230,072	8,062	13,227	251,361	287,591	36,229
D0259	Sedgwick	Wichita	229.0	1,001,646	35,098	44,641	1,081,385	1,252,058	170,673
D0261	Sedgwick	Haysville	25.0	109,350	3,832	9,920	123,102	136,688	13,586
D0262	Sedgwick	Valley Center	22.5	98,415	3,448	0	101,863	123,019	21,155
D0266	Sedgwick	Maize	283.0	1,237,842	43,374	54,561	1,335,777	1,547,303	211,525
D0299	Lincoln	Sylvan Grove	11.0	48,114	41,917	0	90,031	60,143	(29,888)
D0320	Pottawatomie	Warrego	12.5	54,675	7,711	0	62,386	68,344	5,957
D0356	Sumner	Conway Springs	21.0	91,854	36,173	0	128,027	114,818	(13,210)
D0374	Haskell	Sublette	32.1	140,405	58,585	13,227	212,217	175,507	(36,710)
D0375	Butler	Circle	12.5	54,675	2,454	0	57,129	68,344	11,214
D0383	Riley	Manhattan	208.3	911,104	31,925	3,307	946,336	1,138,880	192,544
D0385	Butler	Andover	19.3	84,418	2,958	0	87,376	105,523	18,147
D0400	McPherson	Smoky Valley	48.0	209,952	51,305	8,267	269,523	262,440	(7,083)
D0424	Kiowa	Mullinville	95.2	416,405	357,250	87,629	861,284	520,506	(340,778)
D0436	Montgomery	Caney	11.4	49,864	15,690	9,920	75,474	62,330	(13,144)
D0447	Montgomery	Cherryvale	151.8	663,973	184,558	11,574	860,105	829,967	(30,138)
D0453	Leavenworth	Leavenworth	179.0	782,946	27,434	13,227	823,607	978,683	155,075
D0458	Leavenworth	Basehor-Linwood	321.9	1,407,991	49,336	0	1,457,327	1,759,988	302,662
D0489	Ellis	Hays	12.1	52,925	1,855	1,653	56,433	66,157	9,723
D0490	Butler	El Dorado	16.0	69,984	2,452	13,227	85,663	87,480	1,817
D0497	Douglas	Lawrence	778.3	3,404,284	119,286	13,227	3,536,797	4,255,355	718,558
D0499	Cherokee	Galena	12.0	52,488	17,692	16,534	86,714	65,610	(21,104)
D0512	Johnson	Shawnee Mission	27.5	120,285	4,215	1,653	126,153	150,356	24,203
Total			2,729.1	11,937,083	1,295,702	342,248	13,575,034	14,921,354	1,346,321

SF8028

1 since the time of the last class meeting, indicating the length of time spent
2 on each one, and the instructor shall examine and evaluate such reports,
3 approve plans for further learning activities, and provide necessary as-
4 signments and instruction;

5 (4) regular attendance reports shall be filed as required by law, and
6 students shall be reported as absent for each school day on which they
7 have not completed the prescribed minimum of five hours of learning
8 activities;

9 (5) the instructor shall keep complete records concerning instruction
10 provided, assignments made, and work pursued by the students, and these
11 records shall be filed on the first day of each month with the state board
12 of education and the board of education of the school district in which
13 the child resides;

14 (6) the instructor shall be capable of performing competently the
15 functions entrusted thereto;

16 (7) in applying for approval under this subsection a recognized church
17 or religious denomination shall certify its objection to a regular public
18 high school education and shall specify, in such detail as the state board
19 of education may reasonably require, the program of instruction that it
20 intends to provide and no such program shall be approved unless it fully
21 complies with standards therefor which shall be specified by the state
22 board of education;

23 (8) if the sponsors of an instructional program approved under this
24 subsection fail to comply at any time with the provisions of this subsection,
25 the state board of education shall rescind, after a written warning has
26 been served and a period of three weeks allowed for compliance, approval
27 of the programs, even though the two-year approval period has not
28 elapsed, and thereupon children attending such program shall be admit-
29 ted to a high school of the school district.

30 ~~(g) (1) When a recognized church or religious denomination that ob-~~
31 ~~jects to attendance of kindergarten provides, offers and teaches, either~~
32 ~~individually or in cooperation with another recognized church or religious~~
33 ~~denomination, a regularly supervised program of instruction, which is~~
34 ~~approved by the state board, for children of compulsory school attendance~~
35 ~~age, participation in such a program of instruction by any such children~~
36 ~~whose parents or persons acting as parents are members of the sponsoring~~
37 ~~church or religious denomination shall be regarded as acceptable school~~
38 ~~attendance within the meaning of the compulsory attendance law. Ap-~~
39 ~~proval of such programs may be granted by the state board, for two year~~
40 ~~periods, upon application from recognized churches and religious~~
41 ~~denominations.~~

42 (2) Applications for approval of a program of instruction under this
43 subsection shall be submitted in the manner and form required by the

Revisor of Statutes

Senate Education Committee

2-26-08

Attachment 2

1 ~~state board. The application shall include a statement of the objection to~~
 2 ~~the attendance of kindergarten and shall specify, in such detail as the state~~
 3 ~~board requires, the program of instruction that is proposed to be pro-~~
 4 ~~vided. The application shall include any other information deemed nec-~~
 5 ~~essary by the state board. An application shall not be approved unless the~~
 6 ~~program fully complies with the standards established by the state board.~~
 7 ~~The state board shall establish standards relating to: Acceptable learning~~
 8 ~~activities which must be provided by the program; the number of hours~~
 9 ~~of learning activities that must be offered each school day; record and~~
 10 ~~reporting requirements; teacher qualifications; and any other requirement~~
 11 ~~deemed necessary by the state board.~~

12 ~~(3) A child participating in a program approved under this subsection~~
 13 ~~shall be engaged in learning activities, during each day on which attend-~~
 14 ~~ance is legally required in the public schools in the school district in which~~
 15 ~~the child resides. Attendance reports shall be filed as required by law, and~~
 16 ~~students shall be reported as absent for each school day on which they~~
 17 ~~have not completed the minimum number of hours of learning activities~~
 18 ~~as prescribed by the state board.~~

19 ~~(4) If the sponsors of an instructional program approved under this~~
 20 ~~subsection fail to comply at any time with the provisions of this subsection,~~
 21 ~~the state board shall rescind, after a written warning has been served and~~
 22 ~~a period of three weeks allowed for compliance, approval of the programs,~~
 23 ~~even though the two year approval period has not elapsed, and thereupon~~
 24 ~~children attending such program shall be admitted to a kindergarten of~~
 25 ~~the school district.~~

26 ~~(g)~~ (h) As used in this section:

27 (1) "Parent" and "person acting as parent" have the meanings re-
 28 spectively ascribed thereto in K.S.A. 72-1046, and amendments thereto.

29 (2) "Regularly enrolled" means enrolled in five or more hours of in-
 30 struction each school day. For the purposes of subsection (b)(3), hours
 31 of instruction received at a postsecondary educational institution shall be
 32 counted.

33 (3) "State board" means the state board of education.

34 Sec. 4. K.S.A. 2007 Supp. 72-53,106 is hereby amended to read as
 35 follows: 72-53,106. (a) As used in this section:

36 (1) "School" means every school district and every nonpublic school
 37 operating in this state.

38 (2) "School board" means the board of education of a school district
 39 or the governing authority of a nonpublic school.

40 (3) "Proof of identity" means (A) in the case of a child enrolling in
 41 kindergarten ~~or first grade~~, a certified copy of the birth certificate of the
 42 child or, as an alternative, for a child who is in the custody of the secretary
 43 of social and rehabilitation services, a certified copy of the court order

(g) No child shall be required to attend kindergarten if the child is a member of a religious denomination which objects to the attendance of kindergarten and if a written statement signed by a parent or a person acting as parent of the child is filed with the board of education of the school district in which the child resides requesting that the child not be required to attend kindergarten and stating the reason for the request.

Currently

SRS	Dept of Education	KDHE	Children's Cabinet
Early Head Start prenatal - 3	Parents as Teachers	Tiny K 0-3 <i>SB408</i>	Pre K Pilot 4
Federal Head Start 3 - K	Part B, Special Ed 3 - 5		Smart Start
	At Risk Pre K 4		

Governor's Proposal

SRS	Dept of Education	KDHE	Children's Cabinet
Same as Above	Same as Above AND	Tiny K	Smart Start
	Pre K Pilot		

Senate Bill No. 407

SRS	Dept of Education	KDHE	Children's Cabinet
Federal Head Start	Same as above AND	<i>tiny-K</i>	Smart Start
	Early Head Start		
	Pre K Pilot		

Senate Committee on Education
 February 26, 2008
 Sharon Wenger, Legislative Research Department

*Senate Education Committee
 2-26-08
 Attachment 3*