

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:35 p.m. on January 31, 2008, in Room 123-S of the Capitol.

Committee members absent:

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: Representative Dick Kelsey
Larry Patrick, USD 327 (Ellsworth) and Smoky Hill
Education Service Center

Introduction of bills

Senator Marci Francisco requested the introduction of a bill which would allow a grant for healthy weight education programs in middle schools.

Senator Teichman moved to introduce the bill, seconded by Senator Lee. The motion carried.

Senator Barbara Allen moved to introduce a bill which would increase the weighting for non-proficient pupils, seconded by Senator Apple. The motion carried.

SB 401 – School districts; pupils receiving education services while residing at a psychiatric residential treatment facility

Theresa Kiernan, Revisor of Statutes Office, explained that **SB 401** was introduced by the Legislative Educational Planning Committee (LEPC) at the request of the 2010 Commission for a technical amendment to correct a mistake in a bill passed the 2007 Session. She noted that the words “or a youth residential center” should be reinserted on page 2 and page 6 after the phrase “psychiatric residential treatment facility.” (Attachment 1)

Representative Dick Kelsy testified in support of **SB 401**. He explained that the passage of **SB 95** during the 2007 Session resulted in an unintended consequence. When the bill passed, it was assumed that all Level V and Level VI home facilities would become psychiatric residential treatment facilities (PRTFs). However, the PRTF system did not work as expected, and most of the youth ended up being placed in Youth Residential Centers II (YRC II). He recommended that **SB 401** be amended to include YRC II facilities so that funding in some districts would not be reduced. (Attachment 2) Representative Kelsy noted that he was not aware that the bill had been amended on page 6, subsection (f), regarding the certification of the number of pupils residing in psychiatric residential treatment facilities who are provided educational services.

Larry Patrick, representing USD 327 (Ellsworth) and the Smoky Hill Education Service Center, testified in support of **SB 401**. He explained that the Smoky Hill Education Service Center provides the educational services for the St. Francis Academy at Ellsworth. He noted that, with the passage of **SB 95**, 26 beds at the Saint Francis Academy at Ellsworth were certified as PRTF, and the 12 Emergency Treatment Center beds were now considered YRC II beds. Smoky Hill Education Center had no idea that the reclassification of the Emergency Treatment Center would come with no education funding until application for funding for 38 beds through the grant program was made in January 2008. Certification had been reduced to 26 beds, causing a \$52,488 shortfall for education on the Saint Francis Academy-Ellsworth campus. Without a retroactive change, the shortfall will increase to \$104,976 by June 2008. Mr. Patrick urged the Committee to support a provision increasing the funding for the Saint Francis Academy, retroactive to July 1, 2007. (Attachment 3)

Senator Schodorf commented that perhaps the Committee needed more information on PRTF and YRC II facilities. There being no others wishing to testify, she closed the hearing on **SB 401**.

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:35 p.m. on January 31, 2008, in Room 123-S of the Capitol.

Action on bills previously heard:

SB 421 – School districts; concurrent enrollment; pupils in grade 10

Senator Steineger moved to recommend SB 421 favorably for passage, seconded by Senator Vratil. The motion carried.

SB 420 – School districts; notice of non-renewal or termination of teachers' contracts

As the author of the bill, Senator Vratil noted that the bill was a clean-up bill; however, a KNEA representative expressed some concerns about passage of the bill. One concern was that the penalty provisions in K.S.A. 72-5412 might be rendered ineffective. Senator Vratil explained that, although he did not agree with the KNEA representative, he requested that the Office of the Revisor of Statutes prepare a balloon amendment which repealed K.S.A. 72-5412 and moved the provision into K.S.A. 72-5437.

Senator Steineger moved to recommend SB 420 favorably for passage, seconded by Senator Teichman. The motion carried.

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

The next meeting is scheduled for February 5, 2008.