

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Vice Chairman John Vratil at 1:35 p.m. on February 20, 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: Senator Marci Francisco
Representative Pat Colloton
Kim Morrissey, physical education teacher
Tom Krebs, Kansas Association of School Boards
Mark Desetti, Kansas National Education Association

SB 528 – School districts; healthy weight education programs

Senator Marci Francisco testified in support of **SB 528**. She noted that, as a member of the Legislative Education Planning Committee, she heard testimony regarding the growing incidence and corresponding concern with childhood obesity. She urged the Committee to support the bill because it would establish a program for incentives for schools to develop and evaluate local programs to help middle school students maintain a healthy weight. (Attachment 1)

Representative Pat Colloton testified in support of **SB 528**. She explained that the bill provides a grant program for middle school fitness and healthy weight education to be administered by the Department of Education and provided to local school districts for the professional development of teachers and the purchase of materials relating to fitness education. She noted that the bill would be especially helpful for small school districts that currently do not receive federal funds for fitness and healthy weight education. (Attachment 2) In answer to questions concerning the cost for the program, she explained that \$500,000.00 was requested for a grant program to be developed and administered by the wellness section of the Department of Education.

Kim Morrissey testified in support of **SB 528** as a parent and as an elementary physical education teacher in Wichita. She noted that the Center for Disease Control reported that overweight adolescents have a 70 percent chance of becoming overweight adults, thus increasing their risk for chronic disease, disability, and death. She informed the Committee that, when students in the elementary and middle schools in Wichita were tested for fitness, the elementary students scored significantly higher than the middle school students. She urged the Committee to support the bill because it would offer all Kansas school districts an opportunity to provide programs that would have an impact on adolescents not only with regard to weight management but also with regard to academic success. (Attachment 3) In response to questions from the Committee regarding funding for school fitness programs, she said Wichita public schools had received a three-year grant totaling \$1.3 million.

Tom Krebs, Kansas Association of School Boards, testified in support of **SB 528**. He explained that KASB supports the bill because it works well within the parameters that KASB members have developed. The language is permissive, not mandatory. Additionally, the block grant approach is a complementary financial route in that the districts that envision improved health programs can develop a budget that supports the program. In his opinion, this kind of incentive will motivate districts to work hard to develop plans that are effective and fit the community the district serves. (Attachment 4)

Mark Desetti, Kansas National Education Association, testified in support of **SB 528**. He commented that the bill was not a solution to the obesity problem, because schools cannot solve the problem alone. He observed that obesity is related to the mushrooming of the fast food industry, the vast array of sedentary options that lure children out of the yard and into a chair, and reduced physical education classes due to more emphasis on academics. KNEA supports the bill because it is not a mandate to squeeze one more class into the schedule. Instead, the bill encourages schools to develop programs that address these issues in ways that

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:35 p.m. on February 20, 2008, in Room 123-S of the Capitol.

work for the individual school. (Attachment 5) With regard to funding for the fitness grant program, Mr. Desetti commented that a grant program allows some places to take advantage of the grant, create programs, and learn things that can then be replicated at a lower cost in other places.

Senator Schodorf called attention to written testimony in support of **SB 528** submitted by Linda DeCoursey, Senior Advocacy Director – Kansas, American Heart Association. (Attachment 6)

Senator Schodorf opened a discussion on a previously heard bill – **SB 492** concerning DUI offenses relating to the issuance or non-renewal of teachers' licences.

Theresa Kiernan, Revisor of Statutes Office, distributed copies "Reports of Standing Committees" which showed proposed amendments to **SB 492** as suggested by Senator Vratil at the hearing on the bill. The first amendment would strike lines 14 through 43 in Section 1 on page one and insert a specific list of convictions which would prevent the Board of Education from issuing or renewing a teacher's licence. Another amendment would insert the following language in subsection (b) on page 1, line 27, after "who": "has been convicted of, or has entered into a criminal diversion agreement after having been charged with:". Lines 28 through 43 on page one and lines 1 through 8 on page 2 following the inserted language would be stricken, and current law concerning a five-year ban would be inserted. (Attachment 7)

Senator Vratil clarified that the bill would eliminate from the list of banned offenses first and second DUI misdemeanor offenses. The bill moves the third, fourth, and subsequent DUI offenses over to the list shown on the second page of the handout where one can get a teacher's license five years after the offense. He noted that the bill was redrafted to list the crimes that will result in a lifetime ban from a teaching licence and to list what crimes will result in a five-year ban. In summary, he said that subsection (a) lists the offenses resulting in the lifetime ban, and subsection (b) lists the offenses resulting in the five-year ban.

Senator Allen moved to amend to **SB 492** as proposed, seconded by Senator Vratil. The motion carried.

Senator Allen moved to recommend **SB 492** favorably for passage as amended, seconded by Senator Lee. The motion carried.

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

The next meeting is scheduled for February 21, 2008.