

MINUTES

LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE

Friday, September 7, 2012
Room 152-S—Statehouse

Members Present

Representative Steve Huebert, Chairperson
Senator Jean Schodorf, Vice-chairperson
Senator Marci Francisco
Senator Terrie Huntington
Representative Clay Aurand
Representative Owen Donohoe
Representative Eber Phelps

Members Absent

Senator Bob Marshall
Senator Ruth Teichman
Senator John Vratil
Representative Barbara Ballard
Representative Lana Gordon
Representative Jo Ann Pottorff

Staff Present

Sharon Wenger, Kansas Legislative Research Department
Reagan Cussimano, Kansas Legislative Research Department
Eunice C. Peters, Office of the Revisor of Statutes
Jason Long, Office of the Revisor of Statutes
Jan Johnston, Committee Assistant

Morning Session

Chairperson Huebert opened the meeting by welcoming everyone in attendance. He discussed briefly homeschooling in Kansas. All homeschools are classified as non-accredited private schools in Kansas according to Kansas law ([Attachment 1](#)).

Sharon Wenger, Principal Analyst, Kansas Legislative Research Department, provided additional information on Kansas statutes and regulations related to homeschooling. Chairperson Huebert stated he did not plan to pursue legislation in the coming Legislative Session related to this topic. Dale Dennis, Deputy Commissioner, Kansas State Department of Education, told Committee members the State Board of Education did not plan to address homeschooling with any legislation either.

Ms. Wenger provided a copy of the statute regarding the Legislative Educational Planning Committee and the Committee's statutory charge. She also provided a list of Committee members ([Attachment 2](#)).

2012 Legislation Overview

Mr. Dennis spoke to the members regarding enacted K-12 education legislation from the 2012 Legislative Session, summarized below.

- **SB 11**—Transportation of non-resident pupils, the special education state aid formula, an alternative formula for calculating the local option budget, flexibility in the use of the unencumbered funds, and balances in the contingency reserve fund;
- **SB 155**—Career Technical Education for Secondary Students; Technical College Boards; At-Risk Students; and High Density At-Risk Pupil Weighting;
- **Sub. for HB 2477**—Alternative Learning Plans;
- **HB 2777**—Payment for Paraprofessional Services to Districts;
- **House Sub. For SB 129**—Elections-Related provisions: Extension and Drainage District Elections; Voter Identification; and Campaign Contributions for State Board of Education Candidates; and
- **Senate Sub. for Sub. for HB 2333**—Kansas Public Employees Retirement System Omnibus Bill (Including New Tier 3 Plan) ([Attachment 3](#)).

Mr. Dennis stated there were concerns from school district officials that SB 11 may cause some issues to arise between school districts now that resident students living 2.5 miles from the attendance center the student could attend in the non-resident district, except for the four counties excluded in the law. Representative Aurand requested information on the number of students affected by this portion of SB 11.

Dr. Andy Tompkins, President and CEO, Kansas Board of Regents, spoke to the Committee members regarding higher education legislation from 2012 Legislative Session.

- **Senate Sub. for Sub for HB 2004**—Postsecondary Savings Accounts Incentive Programs;
- **HB 2429**—State Education Institution Project Delivery Construction Procurement Act;
- **HB 2435**—Vocational Education Scholarship, Negotiated Contracts at State Universities, Private and Out-of-State Postsecondary Fees, Remedial Education, and Qualified Admissions;
- **Senate Sub. for HB 2390**—Kan-ed;

- **HB 2428**—University of Kansas Medical Center as a Health Care Provider Group; and
- **SB 300**—Extend Time to Title and Register a Vehicle; New Specialty License Plates; Allow County Treasurers to Accept Payment for License Plate Royalties ([Attachment 3](#)).

School Finance Court Case

Reagan Cussimanio, Senior Fiscal Analyst, Kansas Legislative Research Department, provided an overview of the school finance court case, *Gannon, et al v. State of Kansas*. Closing arguments were made on August 29, 2012 ([Attachment 4](#)).

Afternoon Session

Chairperson Huebert called the meeting back to order at 1:00 pm.

Waiver of No Child Left Behind

Dr. Diane DeBacker, Commissioner of Education, and Judi Miller, Kansas Department of Education, gave an overview of the Elementary and Secondary Education Act (ESEA) Flexibility Waiver (No Child Left Behind) to the Committee members.

Dr. DeBacker and Ms. Miller explained that Kansas sought the waiver to move away from the narrowly defined accountability system of No Child Left Behind. After receiving the Waiver, they explained the state had multiple measures and goals in place unique to each school and district in lieu of No Child Left Behind performance goals ([Attachment 5](#)).

Technical Education under 2012 SB 155

Dr. Blake Flanders, Vice President, Workforce Development, spoke to the Committee members regarding SB 155. This new law provides funding to encourage high school students to earn college credit in technical courses without paying tuition and at the same time, earn an industry credential recognized by employers. He further explained key legislative components in this bill, including the following ([Attachment 6](#)):

- Student tuition support;
- School transportation costs; and
- Incentives to high schools for certificates earned in key occupations.

Dr. Flanders stated some industry-recognized credentials take longer than one year to achieve, so a future legislature may wish to look at the statutory language related to the incentive program with this in mind.

Questions and answers followed.

Dr. Ed Berger, President, Hutchinson Community College, spoke to the Committee members on the role of community colleges in furthering career and technical education in the state. He explained the Kansas Association of Community College Trustees' (KACCT) vision is to be responsive, affordable, accessible, and provide quality learning opportunities (Attachment 7).

Dr. Tony Kinkel, President, Wichita Area Technical College, spoke regarding SB 155. He explained the bill provided free tuition for high school students taking "tiered" technical courses in a Board of Regents-approved program. He outlined some issues to consider in the future relating to this program. These issues included the possibility of requiring students to maintain a particular grade to obtain the tuition payment. Dr. Kinkel's written handout presented several other items for legislative consideration (Attachment 8).

Ms. Wenger reviewed the American College Testing, Inc. (ACT's) report entitled *The Condition of College and Career Readiness 2012* (Attachments 9 and 10).

Mark Tallman, Associate Executive Director for Advocacy, Kansas Association of School Boards, presented the results of analysis of 2012 ACT results and Kansas college readiness. ACT released the national and state ACT profile reports in August 2012. The reports provide a detailed look at student test scores. The ACT is the most important indicator of college readiness for students in Kansas, according to Mr. Tallman (Attachment 10).

Ms. Wenger then provided a brief description of the topics assigned to the Committee for review by legislative leadership.

Representative Donohoe provided information on Carpe Diem Schools, which is a tuition-free Arizona public school system. He asked the members to review this information for a possible topic at a future meeting (Attachment 11).

The Chairperson ended the meeting and indicated a date for the November meeting would be e-mailed out to the members and staff.

The meeting adjourned at 3:45 p.m.

Prepared by Jan Johnston
Edited by Sharon Wenger and Reagan Cussimanio

Approved by the Committee on:

November 13, 2012
(Date)