

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:35 p.m. on January 25, 2006, in Room 123-S of the Capitol.

Committee members absent:

Committee staff present: Carolyn Rampey, Kansas Legislative Research Department
Kathie Sparks, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Adam McGonigle, North High School (Wichita)
Senator John Vratil
Jim Edwards, Kansas Association of School Boards
Terry Forsyth, Kansas National Education Association
(KNEA)

Senator Schodorf introduced Adam McGonigle, a student from North High School in Wichita. She explained that North High School requires a senior project for graduation, and his project included testifying before the Senate Education Committee.

After introducing his family, Adam noted that his testimony on school finance marked the completion of his senior project. He explained that he selected the topic due to his interest in the school finance debate and because he believed that his background at the most racially diverse high school in the state made him qualified to testify on the subject. He noted that, while his initial project was to research school finance in general, he quickly found that the topic was too complicated to cover in the time allotted. Therefore, he chose to focus his research in the two areas he found to be the most controversial and the most important – inequities and inefficiencies. Noting that his purpose was to add a student's voice to the debate on school finance, he discussed his personal school experiences relating to his research. He advocated increased weighting for special needs students and contended that the issue of efficiency should not be used as a means for political gain or be allowed to overshadow the more important needs of students. (Attachment 1)

SB 369 – School finance; relating to local option budgets (LOB)

Theresa Kiernan, Revisor of Statutes Office, reminded the Committee that **SB 369** was introduced by the Education Committee at the request of Senator Vratil. She noted that the bill would simplify the LOB statute and that the new language began on page 9 of the bill. She explained the new subsections as follows:

- Subsection (a) provides that all districts would have the authority to adopt a LOB;
- Subsection (b) provides that a school district may adopt a LOB in the same authority that it has in school years 2005-2006 by a majority vote of members of the Board with no publication, protest, or election required;
- Subsection (c) provides that a district which desires to increase that authority in an amount which does not exceed the statewide average may do so without notice, protest, or an election;
- Subsection (d) provides that, if the Board desires to increase its authority above the statewide average, it may do so without a notice, protest, or an election – if the Board desires to increase its authority above the statewide average or if it was not authorized to adopt a LOB in 2005-2006, the Board may do so, but it would be subject to a protest and election;
- Subsection (e) provides that, unless specifically stated otherwise in the resolution, the authority to adopt a LOB shall be continuous and permanent;
- Subsection (f) provides that, if the Board does not have permanent authority, it may initiate procedures to renew or increase the authority to adopt a LOB any time during the school year after it levies the tax for the LOB;
- Subsection (g) provides that the Board may continue to operate under a resolution adopted prior to the effective date of this act or the district may abandon the resolution and operate under the new procedure;

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- Subsection (h) establishes a supplemental fund, defines what the LOB funds can be used for, and maintains the current restrictions regarding lease-purchase agreements involving the acquisition of land or buildings; paragraph (A) and (B) of subsection (h) tells districts what to do with any unexpended funds in the budget – any money that is attributable to state aid must be transferred either to their general fund or remitted to the State Treasurer; and
- Subsection (i) directs the State Board of Education to determine the statewide average percentage of local option budgets for school districts in the preceding school year.

Ms. Kiernan explained that the bill maintains the current state-prescribed percentage limitations and the current definition of “authorized to adopt a local option budget.”

In response to a question from Senator Lee regarding the difference between current law and **SB 369**, Ms. Kiernan explained that the bill used statewide averages as opposed to enrollment categories. Senator Lee raised further questions regarding the language in new subsections (e) and (h) compared to current law. Senator Schodorf requested that Ms. Kiernan compile a list of provisions in the bill which differ from current law.

Senator John Vratil testified in support of **SB 369**, noting that it was drafted with the intention of simplifying the existing statute concerning a local option budget and with no intention to change any of the substantive provisions of the LOB law. He pointed out that professional educators, parents, taxpayers, and average citizens should be able to read and understand the state’s LOB law. (Attachment 2)

Senator Vratil clarified that, under existing law, the average LOB is determined for several different specified enrollment categories (similarly sized districts sometimes referred to cohort groups). Under current law, a district in one of the four cohort enrollment categories is entitled to increase their LOB up to the average LOB for that cohort group without a protest petition. He explained, “This bill would change that to a statewide average, and so it would have an impact on some school districts. The impact I believe it will have is that the statewide average will be lower than the average for some of those cohort groups so it will have the effect of lowering it. Dale (Dennis) has told me that the overall impact of this change is minimal.”

Senator Lee requested a list of the cohort groups and current percentages.

Jim Edwards, Kansas Association of School Boards (KASB), stated that KASB was neutral on **SB 369**, but two main points should be made. The first point was that local school districts have become much too dependent on LOB funds because the base budget is far too low. The second point was that the complexity with LOBs comes more from the protest petition process than from the issue itself. (Attachment 3)

There being no others wishing to testify, the hearing on **SB 369** was closed.

SB 329 – Curriculum standards; seven-year review

Ms. Keirnan explained that **SB 329** was introduced at the request of the Legislative Educational Planning Committee (LEPC) after the State Board of Education raised a concern that the three-year interval for the review of curriculum standards in current law was too short. She reviewed the written testimony submitted by Dale Dennis, Deputy Commissioner of Education. Mr. Dennis’ testimony outlined information which he felt would help the Committee to understand the process for developing curricular standards and state assessments. (Attachment 4)

Senator Lee questioned if “equal to the best standards” should have been stricken on line 23 of the bill. Ms. Kiernan agreed that, with the elimination of “equal to the best standard,” it was possible that lower standards could be adopted. Carolyn Rampey, Kansas Legislative Research Department, clarified that it was not the intention of the LEPC to reduce standards. She explained that the LEPC determined the language should be eliminated because it was meaningless and created confusion because it does not identify what the best standards are.

Senator Goodwin questioned why a review was necessary if there are no standards to compare curriculums.

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Senator Vratil responded, "It might be helpful to suggest that, when existing law uses the word 'curriculum standards,' that's not really the word that the Legislature wanted to use. If you read the entire statute in context, it's talking about student performance and assessment tests in core academic areas. And so I believe, instead of the word 'curriculum, we ought to substitute 'performance standards' because that's really what it's talking about. 'Curriculum standards' is very misleading."

Senator Lee suggested that the use of "performance standards" and removing "the best" opened a bigger can of worms because the review would not include an assessment of whether or not Kansas students are doing well. She commented, "I don't know that 'the best' is right, but neither do I want to vote for something that says, okay, we're going to review these standards, but what are we going to compare them to. I don't know the answer to that. It's a question in my mind. Having standards, unless they are standards that are keyed off something else, is rather meaningless."

Senator Schodorf informed the Committee that the whole LEPC discussion was on assessments. She noted that Mr. Dennis indicated that at least five years of data was needed to be able to determine any trends.

Terry Forsyth, Kansas National Education Association (KNEA), testified in support of **SB 329** as far as changing the review standards from three to seven years; however, he suggested that striking "equal to the best standards" would open the door to lowering the standards, which would be bad for students and the state. (Attachment 5)

Senator Vratil noted that the quantitative aspect in existing law began on line 17 of **SB 329** and that the language includes the term, "high academic standards." He commented, "It's just another term that is vague and ambiguous. I hope somebody can come up with a quantitative benchmark that we can compare ourselves to, but nobody has so far."

Written testimony on **SB 329** was submitted by Jim Edwards, Kansas Association of School Boards. Mr. Edwards expressed support for the change in timing for review of the standard, but he was concerned that "equal to the best standards" was removed. (Attachment 6)

There being no further time, the hearing on **SB 329** was closed.

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for January 26, 2006.

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