

## MINUTES

### LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE

December 3, 2007  
Room 123-S—Statehouse

#### Members Present

Senator Jean Kurtis Schodorf, Chairperson  
Representative Clay Aurand, Vice-Chairperson  
Senator Marci Francisco  
Senator Roger Pine  
Senator Mark Taddiken  
Senator Ruth Teichman  
Senator John Vratil  
Representative Barbara Ballard  
Representative Deena Horst  
Representative Steve Huebert  
Representative Eber Phelps  
Representative JoAnn Pottorff  
Representative Valdenia Winn

#### Staff Present

Sharon Wenger, Kansas Legislative Research Department  
Michele Alishahi, Kansas Legislative Research Department  
Theresa Kiernan, Office of the Revisor of Statutes  
Dianne Rosell, Office of the Revisor of Statutes  
Kristin Kellems, Office of the Revisor of Statutes  
Nobuko Folmsbee, Office of the Revisor of Statutes  
Dale Dennis, Kansas Department of Education  
Janet Henning, Committee Assistant

#### Others Present

Dr. Bill Craig, Kansas Autism Task Force  
Dr. Michael Wasmer, Kansas Autism Task Force  
Senator Karin Brownlee, Kansas Senate  
Rick Bowden, Assistant Director, Kansas State High School Activities Association  
Dodie Wellshear, United School Administrators/Kansas  
Rob Mealy, Little Government Relations Consulting  
Mike Reecht, K-12, Inc.  
John Dougherty, Emporia State University

Philip A. Hurley, Pat Hurley & Co.  
Tom Laing, InterHab  
Mark Tallman, Kansas Association of School Boards  
Terry Forsyth, Kansas National Education Association  
Stuart Little, Shawnee Mission School District  
Diane Gjerstad, Wichita Public Schools  
Richard Samaniego, Kearney and Associates  
Bill Brady, Schools for Fair Funding  
Bill Reardon, Kansas City, Kansas Public Schools  
Doug Mays, Topeka Public Schools  
Val DeFever, Schools for Quality Education  
Senator Vicki Schmidt  
Jennie Rose, Kansas Children's Service League  
Sue Gamble, Kansas State Board of Education

### **Morning Session**

The meeting of the Legislative Educational Planning Committee was called to order at 10:00 a.m. by Chairperson Schodorf.

Theresa Kiernan, Office of the Revisor of Statutes, presented a list of topics the Committee had studied during the 2007 legislative interim. Also included were items which had been recommended for introduction by the Committee at the request of the 2010 Commission and the Autism Task Force ([Attachment 1](#)).

Topic: Mandatory Insurance Coverage for Autism  
Source of Request: Autism Task Force  
Description: Mandates insurance coverage for autism in the same manner as provided for other medical and surgical benefits.

Topic: Autism Service Scholarship  
Source of Request: Autism Task Force  
Description: Service scholarship program for master-level professionals who provide services to children with autism.

Dr. Bill Craig, Chairperson, Kansas Autism Task Force, introduced Dr. Michael Wasmer, Kansas Autism Task Force, who spoke to the Committee members on the proposed bill for mandatory insurance coverage for autism.

Ken Wilke, Office of the Revisor of Statutes, explained the proposed bill for mandatory insurance coverage for autism to Committee members ([Attachment 2](#)).

Dr. Bill Craig, discussed the proposed bill for a service scholarship program for master-level professionals who provide services to children with autism ([Attachment 3](#)).

A question and answer session followed the presentations.

*Representative Aurand moved to recommend the Committee introduce the two bills as a courtesy to the Autism Task Force, and not because of support of either of the bills, as there have*

*not been any hearings nor any evidence presented on either of the bills to the Legislative Educational Planning Committee. The motion was seconded by Senator Francisco. The motion carried.*

Theresa Kiernan gave an explanation of the proposed bill concerning school districts relating to virtual schools' enrollment weighting (Attachment 4).

Topic: Virtual Schools; Enrollment  
Description: Creates a virtual pupil enrollment weighting.

Topic: Virtual Schools; Compulsory Attendance  
Description: Requires adoption of virtual school attendance policies.

A question and answer session followed the presentation.

Ms. Kiernan also gave an explanation of the proposed bill concerning school districts, relating to compulsory attendance requirements (Attachment 5).

*Senator Vratil moved to recommend the Committee not introduce the bill on virtual schools' attendance policies but ask the virtual school representatives to work with the State Board of Education and Dale Dennis, to come up with attendance policies. The motion was seconded by Senator Pine. The motion failed by a show of hands - 5-yes, 6-no.*

*After a discussion of the proposed bill, Representative Huebert moved both bills be drafted as a courtesy, with no recommendations from the Committee, and the topics be addressed in Committee in the regular committee process. The motion was seconded by Representative Horst. The motion failed by a show of hands, 5-yes, 5-no.*

*Senator Vratil moved not to introduce either of the bills on virtual schools, but instead ask the representatives of the virtual schools to work with the State Department of Education and Dale Dennis, to see if they could construct a proposal concerning weighting factors and attendance policies which could be looked at in either of the Education committees during the regular legislative session, or as an interim study next year. The motion was seconded by Senator Teichman. The motion carried by a show of hands - 6-yes, 4-no.*

Handout material was provided to Committee members from Barbara Hinton, Legislative Post Audit, and Brenda DeGroot, Sherri Hurn, and Gary Lewis regarding suggestions for virtual school legislation (Attachments 6 and 7).

Senator Karin Brownlee spoke to Committee members regarding the Kansas State High School Activities Association (KSHSAA) recommendations. A Scope Statement describing a proposed audit of KSHSAA also was presented to Committee members for consideration (Attachments 8 and 9).

Rick Bowden, Assistant Director, Kansas State High School Activities Association, provided a copy of a legal opinion, prepared by the law offices of Frieden & Forbes, discussing whether the Kansas State High School Activities Association is subject to an audit directed by the Legislative Post Audit Committee (Attachment 10).

*Senator Vratil moved the Committee endorse the request for a post audit consistent with the Scope Statement. The motion was seconded by Representative Pottorff. The motion carried.*

Theresa Kiernan gave an overview of the 2010 Commission recommendations for legislation (Attachments 11 - 16).

Topic:	Catastrophic Aid
Description:	Raises the threshold for computing catastrophic aid from \$25,000 to \$26,000; the threshold would increase each year based upon the CPI-U.
Topic:	BiLingual Weighting
Description:	Changes the computation of bilingual weighting from a headcount to an FTE-basis.
Topic:	High Density At-Risk Pupil Weighting
Description:	Changes the formula to a linear transition formula, but makes the change so that it is revenue-neutral to the state.
Topic:	Base State Aid Per Pupil
Description:	Increase the base by \$100, from \$4,374 to \$4,474 for school year 2008-2009.
Topic:	Psychiatric Residential Treatment Facilities
Description:	Makes technical amendments to insert wording inadvertently dropped when reconciling conflicting amendments to the section last session.
Topic:	Teacher Recruitment and Retention
Description:	Establishes the continuing employment incentive matching grant program; \$2,500 state match; USDs create special retirement accounts for teachers who agree to continue working in the district even though eligible to retire.

A question and answer session followed the presentation.

*Representative Aurand moved that six 2010 Commission bills be drafted and presented, as a courtesy to the 2010 Commission, without recommendation from the LEPC. The motion was seconded by Representative Horst. The motion carried.*

Theresa Kiernan gave an overview of the topic of teacher recruitment and retention (Attachment 17).

Topic:	Teacher Recruitment and Retention
Description:	Concerning the Kansas Public Employees Retirement System, relating to retired teachers.

A question and answer session followed the presentation.

*Senator Teichman moved to support the legislation proposed by Senator Schodorf, related to teacher recruitment and retention. The motion was seconded by Representative Ballard. The motion failed.*

Chairperson Schodorf told Committee members she had a proposal regarding dyslexia, and that several Committee members were concerned about the testimony heard on dyslexia.

Chairperson Schodorf proposed a letter be written, on behalf of the Legislative Educational Planning Committee, to the Kansas State Board of Education and Kansas Board of Regents.

Testimony had been given that indicated:

- A screening program should be instituted in public schools for children who might have dyslexia or related problems; and
- Training should be instituted for beginning teachers in dealing with children with potential reading problems.

*Senator Vratil moved the Committee authorize the Chairperson to write the letters as described to the Kansas State Board of Education and the Kansas Board of Regents; and if necessary, seek Legislative Coordinating Council approval. The motion was seconded by Representative Pottorff. The motion carried.*

### **Afternoon Session**

The Chairperson asked Committee members if there were any changes or additions to the Committee minutes of November 5, 2007. *Senator Vratil moved the minutes be approved as recorded. The motion was seconded by Representative Pottorff. The motion carried.*

Theresa Kiernan introduced a new staff member, Kristin Kellems, Office of the Revisor of Statutes. It also was announced that Michele Alishahi would soon be leaving the Legislative Research Department and moving to North Carolina. Committee members thanked Michele for her work in the Research Department.

Theresa Kiernan gave an overview of legislative topics recommended by the Board of Regents (Attachments 18, 19, 20, 21, & 22).

Topic: Math and Science Academy Program  
Description: Provides funding for this Program.

Topic: Faculty of Distinction Program  
Description: Raises the cap on the state income earnings equivalent awards from \$5 million to \$10 million.

Topic: University Support Staff  
Description: Authorizes the Board of Regents to allow universities more autonomy over their employees; allows University Support Staff to receive leave enhancements that are approved for classified employees.

Topic: Local Option Sales Tax  
Description: Allows the board of trustees of community colleges the option to offset property tax with a local sales tax.

Topic: Deferred Maintenance Issues

Description: Extends the loan amortization period beyond 8 years; technical clean up amendments.

Topic: Crumbling Classrooms  
Description: Transfers \$50 million from the State General Fund to FY 2008 to make a debt service payment on the Crumbling Classrooms bonds.

A question and answer session followed the presentation.

*Senator Teichman moved the six Board of Regents' bills be drafted and presented, without recommendation from the LEPC. The motion was seconded by Representative Ballard. The motion carried.*

Theresa Kiernan gave an overview of other legislative topics from the 2010 Commission and LEPC (Attachments 23 and 24).

Topic: Early Childhood Education  
Description: Concurrent Resolution requesting the Governor designate the State Board of Education as lead agency for the tiny-k Program.

Topic: Early Childhood Education  
Description: Transfers Pre-K Pilot and Early Head Start to State Board of Education (SBOE); also serves as a trailer bill to transfer tiny-k from Kansas Department of Health and Environment (KDHE) to SBOE if governor designates SBOE as lead agency.

A question and answer session followed the presentation.

*Senator Teichman moved the Committee accept the resolution as read. The motion was seconded by Senator Vratil. The motion carried.*

*Senator Teichman moved the Committee introduce the bill moving the Pre-K Pilot and Early Head Start Programs to the State Department of Education. The motion was seconded by Representative Horst. The motion carried.*

Topic: Mandatory Attendance of Half-Day Kindergarten  
Description: Mandates attendance of half-day Kindergarten; includes an exception for religious groups opposing attendance of Kindergarten; moves the day to determine age of eligibility from August 31 to July 31 beginning in school year 2009-2010.

The Committee discussed the "age of eligibility" date and agreed, by consensus, to drop the date of July 31 and leave the date as August 31, which is the current law (Attachment 25).

Theresa Kiernan submitted bill drafts that were approved in concept at a previous meeting (Attachments 26, 27, 28, & 29).

Chairperson Schodorf thanked Committee members and staff for their work on the Legislative Educational Planning Committee.

The meeting was adjourned at 2:15 p.m.

Prepared by Janet Henning  
Edited by Sharon Wenger

Approved by the Committee on:

January 4, 2008

(Date)