

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 9:00 a.m. on February 17, 2009, in Room 711 of the Docking State Office Building.

All members were present.

Committee staff present:

Sharon Wenger, Kansas Legislative Research Department
Reagan Cussimano, Kansas Legislative Research Department
Theresa Kiernan, Office of the Revisor of Statutes
Dale Dennis, Deputy Commissioner, Kansas State Department of Education
Janet Henning, Committee Assistant

Conferees appearing before the committee:

Sharon Karr, Governmental Relations, Kansas Association of School Psychologists
Regina Kimbrel, School Psychologist, Marion County Special Education Cooperative #617
Dr. Jim Persinger, Associate Professor, Department of Psychology, Emporia State University
Ricardo Vieyra, Director of Special Education, Geary County Schools USD #475
Mark Tallman, Kansas Association of School Boards
Terry Forsythe, Kansas National Education Association
Jim Means, Executive Director of Career & Technical Education, Wichita Public Schools
Cheryl Semmel, United Schools Administrators of Kansas (written testimony)
Steve Kearny, Kansas Association for Career and Technical Educators (written testimony)

Representative Loganbill requested a point of personal privilege and stated the Wichita Eagle newspaper had recently published a special report entitled "*Grading Our Schools*". Representative Loganbill told Committee members the article included test scores taken in spring 2008 as well as scores from spring 2006 and spring 2007 for comparison and were for public school districts in Sedgwick, Butler, and Harvey counties as well as private and parochial schools. Included in the report was the percentage of a school's students considered low-income. Representative Loganbill stated Allen Elementary school listed 79.4% students in poverty, however, their test scores had increased dramatically. As a side note, Representative Loganbill told Committee members this is the school where she teaches. (On file - Wichita Eagle, 2.15.09)

HB 2153 - Schools; national school psychologist certification incentive program.

Theresa Kiernan gave an overview of **HB 2153** to Committee members.

Sharon Karr, Governmental Relations, Kansas Association of School Psychologists, spoke to Committee members as a proponent of **HB 2153**. Ms. Karr told Committee members that **HB 2153** is similar to Kansas Statute 72-1398 which provides a financial incentive bonus of \$1,000 each year to each teacher who has national board certification. This bill is to provide a similar financial incentive bonus of \$1,000 each year to each nationally certified school psychologist. (Attachment 1)

Regina Kimbrel, School Psychologist, Marion County Special Education Cooperative #617, spoke to Committee members as a proponent of **HB 2153**. Ms. Kimbrel advised there are approximately 89 school psychologists in Kansas who have the title of Nationally Certified School Psychologist. Ms. Kimbrel told Committee members that to have the Nationally Certified School Psychologist credential demonstrates that the person is a lifelong learner and has attained a level of training and professional competence that demonstrates knowledge in the diverse areas that impact children and their learning today. (Attachment 2)

Dr. Jim Persinger, Associate Professor, Department of Psychology, Emporia State University, spoke to Committee members as a proponent of **HB 2153**. Dr. Persinger told Committee members that in past decades, the majority of the school psychologist's time had been spent in assessment of children for special education. Now, school psychologists work with all students, regardless of ability or disability, primarily working proactively to prevent academic and mental health problems. Dr. Persinger stated that for well over ten years, there have been warnings about increasing shortages of school psychologists in the United States. The two most ready remedies for personnel shortages are to recruit more students into training programs and to enact policies which help retain existing personnel. (Attachment 3)

Ricardo Vieyra, Director of Special Education, Geary County Schools USD #475, spoke to Committee members as a proponent of **HB 2153**. Mr. Vieyra told Committee members the bill's effect would assist in the recruitment and retention of highly qualified and trained staff. Mr. Vieyra told

CONTINUATION SHEET

Minutes of the House Education Committee at 9:00 a.m. on February 17, 2009, in Room 711 of the Docking State Office Building.

Committee members that due to the growing military population of diverse learners and mobile population, their district has seen rapid growth in school population over the past three years. He stated the military regarding the Junction City school district as one of three districts nationally to send families with children who have special needs. Mr. Vieyra stated that by having well-trained staff in the school psychology area adds to the knowledge base as their districts serves these diverse learners. He also stated that having flexible staff to implement, train, and assist with the Multi-Tiered System of Support (MTSS) is a vital role for the school psychologist. The better trained their staff is in this framework, the fewer students they will have in special education thus reducing the costs of special education to taxpayers. (Attachment 4)

A question and answer session followed the presentations.

Mark Tallman, Kansas Association of School Boards, spoke to Committee members in opposition of **HB 2153**. Mr. Tallman told Committee members the bill states that school districts are entitled to reimbursement by the state for the costs. However, as this year has already demonstrated, a statutory entitlement is no guarantee of actual funding. If Legislative appropriations were inadequate to fund the entitlement, school districts would still be responsible for paying the bonus. Therefore, the bill represents another potential unfunded mandate. (Attachment 5)

Terry Forsyth, Kansas National Education Association (KNEA), spoke to Committee members in opposition of **HB 2153**. Mr. Forsyth told Committee members that KNEA supports paying educational professionals for their efforts to successfully complete the requirements to become nationally certified in their area of expertise. However, all national certification processes are not equal in terms of the rigor, the time and effort required to successfully become nationally certified. KNEA suggests that the incentive be based on the rigor of the process rather than only on the attainment of the national certificate. (Attachment 6)

A question and answer session followed the presentations.

Chairman Aurand closed the hearing on **HB 2153**.

HB 2237 - Schools; vocational education courses.

Theresa Kiernan, Office of the Revisor of Statutes, reviewed a technical amendment for **HB 2237** with Committee members. (Attachment 7)

Scott Frank, Legislative Post Audit, gave a background of the Performance Audit Report - School District Audit "*K-12 Education: Reviewing the Cost of Vocational Education Programs*". Mr. Frank told Committee members that Vocational Education programs are designed to teach high school students about current or emerging occupations that don't require an advanced degree. In Kansas, school districts aren't required to offer Vocational Education programs, but if they do, the State has adopted a funding formula to help pay for approved programs.

Mr. Frank told Committee members this school district performance audit answers the following question:

- What types of Vocational Education programs do school districts offer, and how much do they cost?

The audit determined that Vocational Education programs traditionally have served as an alternative for students who might not be college-bound, training them for a variety of technical careers in such areas as agriculture, business, industry, and technology. The majority of the State's \$34 million in Vocational Education funding goes for classes that prepare students for specific occupations, but about \$5 million is paid to districts for classes that help students develop general employability and life skills, as well as for generic seminar classes.

Mr. Frank also told Committee members that changes at the federal level are radically changing the focus of Vocational Education, from a more-limited notion of technical careers that don't require a four year degree to an expanded notion that includes almost all professional career paths. (On file - Legislative Division of Post Audit)

CONTINUATION SHEET

Minutes of the House Education Committee at 9:00 a.m. on February 17, 2009, in Room 711 of the Docking State Office Building.

A question and answer session followed the presentation.

Cheryl Semmel, United School Administrators of Kansas, gave written testimony in support of **HB 2237**. (Attachment 8)

Jim Means, Wichita Public Schools, spoke to Committee members in opposition of **HB 2237**. Mr. Means told Committee members that the bill provides for the continued .5 weighted funding of vocational education programs, which are so critical. However, it eliminates that funding for seminar periods and courses that teach important employment and living skills. Seminar periods are an import tool to reinforce and supplement instruction in all courses, including vocational education programs; and vocational education courses provide the best setting in which to develop and reinforce the employment and life skills so often requested by the business community. (Attachment 9)

Mark Tallman, Kansas Association of School Boards (KASB), spoke to Committee members in opposition of **HB 2237**. Mr. Tallman advised KASB opposes this bill because the school districts will be facing significant changes in the structure of vocational education under federal law over the next few years, including changing the name to career and technical education, the implementation of career pathways and other new approaches.

Mr. Tallman advised rather than passing this bill, KASB would suggest the committee should ask the Kansas State Department of Education to do a complete study of how all the career and technical education changes will affect school district costs, and make recommendations to the Legislature on an equitable, cost-based system for funding. (Attachment 10)

Steve Kearny, Kansas Association for Career and Technical Educators, gave written testimony as a neutral of **HB 2237**. (Attachment 11)

A question and answer session followed the presentation.

Chairman Aurand closed the hearing on **HB 2237**.

HB 2104 - Schools; low enrollment weighting, limitation relating to high and medium density at-risk pupil weightings.

Theresa Kiernan, Office of Revisor of Statutes, gave an explanation of the balloon amendment for **HB 2104**. (Attachment 12)

Representative Huebert moved to adopt the balloon amendment for **HB 2104**. The motion was seconded by Representative Horst.

After discussion by Committee members, **Chairman Aurand made a motion for a substitute amendment which would delay action for one year.** The motion was seconded by Representative Horst. The motion carried.

Representative Huebert moved to pass out **HB 2104** as amended favorably for passage. Representative Brookens seconded the motion. The motion failed by show of hands.

Chairman Aurand requested updated information regarding the sub-committees appointed for **HB 2008** and **HB 2199**. Representative Horst reported that she would request the Speaker of the House to “bless” **HB 2008** to continue working the bill. Representative Spalding reported that she would also request the Speaker of the House to “bless” **HB 2199** to continue working the bill. Representative Spalding advised members of the sub-committee would include Representatives Trimmer, Loganbill, Brookens and herself. She also advised they would be meeting March 2nd at 9:00 am in Room 711-D.

Chairman Aurand announced there would not be an Education meeting on Wednesday, February 18th.

The meeting was adjourned at 10:30 a.m. No future meeting is scheduled at this time.