

**MINUTES OF THE SENATE EDUCATION.**

The meeting was called to order by Chairperson Senator Barbara Lawrence at 9:00 a.m. on March 15, 2000 in Room 123S of the Capitol.

All members were present except:

**Committee staff present:** Ben Barrett, Legislative Research  
Jackie Breymeyer, Committee Secretary

**Conferees appearing before the committee:** Representative Thimesch  
Michelle Nichols, St Joe, Ost USD 267  
Dr. David Pendleton, Basehor-Linwood

**Others attending:** See Attached List

Chairperson Lawrence called the meeting and explained that the charter school piece was amended into the juvenile justice centers bill sent over to the House by the Senate. The Senate took it out and put it into **Senate Substitute for HB 2357**. The Chairperson has been a proponent of true charter schools for many years. It is an idea that did not take place until federal funds became available to fund startup costs. Now there are 15 charter schools, which is the limit. The bill will expand the number of charters that Kansas can have. She has some reservations, however, because the charter schools are not in the strictest sense charter schools, but alternative schools which can be done within the law now. There were very few waivers asked for any of the schools started with few exceptions. National trends in charter schools show they are a growing phenomenon. She is hoping to see more innovation than there has been in the past. She called on Representative Thimesch to introduce the first conferee.

Representative Thimesch stated the subcommittee of which he was a member studying charter schools worked very hard. He visited Basehor-Linwood, as well as the school in Yoder, Kansas. He was greatly impressed by what he saw. He believes that attitudes toward charter schools have greatly changed. This is a good opportunity to look at the issue and bring it to the attention of the State of Kansas. He introduced Michelle Nichols, who was present to testify to the bill.

Ms. Nichols introduced Arlen and Mary Ann Freund, George Marson, Byron and Dorothy Bergkamp and their daughter, Victoria. They have the smallest school in Renwick School District, which is west of Wichita. They have worked diligently to keep their small school open; the people in the community are very close. She read from testimony her husband had presented in the House Education Committee. (Attachment 1) She closed her remarks by stating that with a charter atmosphere the school could obtain the adequate funds to maintain and improve its facility and educate its children without the threat of closure.

Ms. Nichols was questioned about the scores at the back of the testimony. There was close alignment between all scores but reading. Ms. Nichols responded that in a small class, if one student has a bad day, it will pull the score down.

The Chairperson asked Ms. Nichols what she thought of the chances of the school board approving a charter for St. Joe. Ms. Nichols responded that it would probably be hard for them to obtain a charter and would like to see some type of appeals process written into the bill.

Ms. Nichols made further comments, answered questions from members of the committee, and thanked the committee for allowing her to testify on the bill.

Dr. David Pendleton, Basehor-Linwood, appeared on the bill. Dr. Pendleton stated when the charter school was started in the school district, they wanted to do something significantly different. He believes that is what the concept of the charter is all about. He informed the committee that he does not have a single student who is in public education in his program unless the superintendent of the school district approves it. The charter school chose not to be in competition with public schools. A responsibility is assumed when a grant is received and the charter is obtained. When a local problem is fixed, that potential solution is taken and creates the opportunity for other school districts to learn from the charter.

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Chairperson Lawrence stopped Dr. Pendleton and stated that she was not sure that everyone understood the concept of the virtual district.

Dr. Pendleton continued with an explanation of the concept under which the school operates. He stated that it is a virtual school. There are no bricks and mortar; it is all on the internet. The intent was to see if the charter could provide a sound program to students, particularly home school students; second, to provide education for alternative students, and third, enrichment programs for regular school students through the electronic learning process. The school started with 68 students and currently there are over 300 students. Next year they are projecting around 450 students. Curriculums are provided for parents home schooling their children. A program facilitator helps parents make good choices about what their children need. They are performance based; tests are given and assessments are made. The IPBS is required at the grade level to determine if a child is making progress. They are able to take the children and give them some type of idea of how they are progressing through the state guidelines and curriculum. They have the materials to make the process work.

Mr. Pendleton stated there are over 50,000 students in Kansas not attending any school or attending a non-accredited school. This is something of which there should be concern as it is almost 10% of the total enrollment in the state. He has done a survey of the parents of the charter children and asked them what the number one reason was they had left public education. He said it was not religion, not right wing extremism or safety and security; it was choice. The school district had not let them have any choice. He stated that Wichita Public Schools will have a virtual school this fall. Greenbush will also have several schools. Other schools across the state are picking up on this idea.

Mr. Pendleton summed up his testimony by stating his hopes for expansion of charter schools in the state. He hopes it is expanded with direction. If accountability and progress are not accomplished, then the charter should be lost. Charters should be magnificent ideas and creative thinking for the state for the future of public education.

Mr. Pendleton was asked if he thought there was sharing and innovation in the charter school system. His response was that he thought there was. He added that the charter program in his mind is not the solution to a school's problem. There are other ways to deal with that other than a charter. In his mind, charter is an opportunity to test a solution to a problem that abounds statewide.

After further comments, the Chairperson thanked Dr. Pendleton and stated the committee would take up the bill again next week.

The meeting was adjourned.