

Approved: 3-14-2000

Date

MINUTES OF THE SENATE EDUCATION COMMITTEE.

The meeting was called to order by Chairperson Senator Barbara Lawrence at 9:00 a.m. on March 6, 2000 in Room 123S of the Capitol.

All members were present except: Senators Hensley and Langworthy - Excused

Committee staff present: Avis Swartzman, Revisor  
Ben Barrett, Legislative Research  
Carolyn Rampey, Legislative Research  
Jackie Breymeyer, Committee Secretary

Conferees appearing before the committee: Senator Vratil  
Larry Patrick, Smoky Hill Education Service Center, Salina  
Kathleen Lowman, Atchison Public Schools  
Mark Tallman, Kansas Association of School Boards

Others attending: See Attached List

Chairperson Lawrence called the meeting to order and called on Senator Vratil, who had brought the final proposed amendments to **SB 432 - school districts; relating to employment of personnel**

Senator Vratil stated that Senator Lee and he had met with representatives of the Kansas Bureau of Investigation last week. An additional amendment they came up with was subsection (e). What this does is delete from the bill any applicant for employment who has been a continuous resident of the state for ten years immediately preceding the application. He would also suggest deletion of the phrase in subsection (e) "has never been employed by the school district."

Senator Vratil was asked about the compact. He responded there is an interstate compact that has been approved by Congress. The KBI chose not to bring it to the legislature this year, but does intend to bring it to the legislature next year. Under the terms of the contract, states would have discretionary authority to request FBI checks. The issue of background or criminal history records check has also been cleared up; it is a criminal history records check. The current time lag is about five weeks. The bill has a provision that would allow provisional employment to an applicant pending the outcome of the criminal history records check.

One of the committee asked Senator Vratil if school boards now have the option to conduct criminal records checks. Senator Vratil responded there is nothing in the law that specifically gives them that authority, but many school districts throughout the states are doing KBI criminal history records checks.

**Senator Lee moved to amend SB 432 with the amendments provided by Senator Vratil, with the deletion of "has never been employed by the school district" in subsection (e).**

**Senator Umbarger gave a second to the motion.**

Discussion was held.

**The motion carried**

**Senator Oleen moved to recommend SB 432 favorably for passage as amended.**

**Senator Jones gave a second to the motion.**

**The motion carried**

The Chairperson turned the committee's attention to:

## CONTINUATION SHEET

MINUTES OF THE SENATE EDUCATION COMMITTEE, Room 123S Statehouse, at 9:00 a.m. on March 6, 2000.

### **HB 2810 - school districts; definition of juvenile detention facility, grants of state moneys**

The Chairperson commented the bill, as introduced, dealt only with education funding for juvenile detention centers. It added four facilities located in Ellsworth, Salina and Atchison and Topeka. Two detention centers were deleted; Charter Wichita Behavior Health System and Parkview Passages Residential Treatment Center of Topeka. If HB 2810 is published in the Kansas Register by April 20, 2000, school districts that provide educational services to the new facilities added in the bill would be eligible for state aid under the program in the current year.

The Chairperson added that the bill was amended on the floor of the House to add charter school provisions. She would like to see this portion of the bill deleted, inserted into an appropriate bill, and taken up by the committee at a later date. She welcomed the first conferee on the bill.

Larry Patrick, Salina, submitted testimony (Attachment 1) and stated he was happy to hear the Chairperson's comments regarding the charter school portion of the bill. He gave a summation of programs and answered questions from the committee.

Dale Dennis, Deputy Education Commissioner, stated the appropriations run July 1 to June 30. The department does not think it necessary to have a supplemental appropriation this year because the increase in number of pupils served in the added facilities would be offset by the closure of the other two facilities.

The Chairperson stated the estimated cost for the additional facilities would be approximately \$665,000.

Kathleen Loman, Atchison Public Schools, submitted testimony (Attachment 2). St. Francis Academy at Atchison has been approved by SRS for 56 students. There are presently 19 students. Two additional students are expected this week and five more next week. That is why the district is asking for the effective date of April 20, 2000.

Ms. Loman responded to a question by stating that part of the students are juvenile justice authority cases and part are the result of hospital beds being closed in the state facilities.

Mark Tallman, KASB, stated the association supports the intent of the bill (Attachment 3). It would be appropriate to have some definition that could be used instead of adding and subtracting students each year as the need arises. The association was supportive of the charter school amendment added on the House floor and would hope that language would be included somewhere.

The Chairman stated testimony was submitted by John Federico, Kelley Detention Services, in support of the bill (Attachment 4).

**Senator Emert moved to amend HB 2810 on page 6, deleting sec.4 to the end of the bill with the exception of the publication in the Kansas Register. Senator Oleen gave a second to the motion.**

Discussion was held.

**Senator Kerr moved to recommend HB 2810 favorably for passage as amended; Senator Emert gave a second to the motion. The motion carried.**

**Senator Bleeker moved to have a substitute bill for HB 2357 drawn up that includes the provisions of the charter schools language that was formerly in HB 2810. Senator Emert gave a second to the motion. The motion carried.**

After stating that subcommittee reports will be due next week, the meeting was adjourned.