

MINUTES

LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE

November 20-21, 2008
Room 783—Docking State Office Building

Members Present

Representative Deena Horst, Chairperson
Senator John Vratil
Senator Ruth Teichman
Senator Marci Francisco
Senator Roger Pine
Senator Mark Taddiken - Thursday only
Representative Barbara Ballard
Representative Eber Phelps
Representative Steve Huebert
Representative Valdenia Winn
Representative Owen Donohoe

Members Absent

Senator Jean Kurtis Schodorf
Representative JoAnn Pottorff

Staff Present

Sharon Wenger, Kansas Legislative Research Department
Martha Dorsey, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
Reagan Cussimano, Kansas Legislative Research Department
Theresa Kiernan, Office of the Revisor of Statutes
Kristen Kellems, Office of the Revisor of Statutes
Dale Dennis, Kansas Department of Education
Janet Henning, Committee Assistant

Others Present - Thursday, November 20, 2008

Tom Krebs, Kansas Association of School Boards
Sue Gamble, Kansas Board of Education
Brad Moeller, Kansas Division of Emergency Management
Jacob Gray, Kansas Division of Emergency Management
Dr. Bill Craig, Kansas Autism Task Force
Donna Shank, Kansas Board of Regents

Reginald Robinson, Kansas Board of Regents
Kip Peterson, Kansas Board of Regents
Gary Sherrer, Kansas Board of Regents
Bill Brady, Schools for Fair Funding
Representative Tom Hawk, District 67
Scott Frank, Legislative Post Audit
Sandy Braden, Gaches, Braden, and Associates
Larry Berg, Kansas Association of Community College Trustees (Larry Berg Consulting)
Diane DeBacker, Kansas State Department of Education
Sue Peterson, Kansas State University
Dick Carter, Johnson County Community College
Kari Presley, Kearney and Associates
Val DeFever, Schools for Quality Education
Mark Tallman, Kansas Association of School Boards

Others Present - Friday, November 21, 2008

Senator Jim Barnett
Representative Barbara Craft
Ron Walker, Superintendent, Geary County School District
Tom Krebs, Kansas Association of School Boards
Mike Reeht, K12, Inc.
Larry Berg, Kansas Association of Community College Trustees
Bob Vancrum, USD 229
Bill Reardon, USD 500
Val DeFever, Schools for Quality Education
Dodie Wellshear, USA/Kansas
Mark Tallman, Kansas Association of School Boards
Doug Bowman, Coordinating Council on Early Childhood Development Services
Kathy Damron, University of Kansas
Diane Gjerstad, Wichita Public Schools
Sue Gamble, Kansas Board of Education

Thursday, November 20, 2008 Morning Session

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

The Chairperson asked Committee members if there were any changes or additions to the Committee minutes of October 9-10, 2008. *A motion was made by Senator Teichman to accept the minutes as recorded. The motion was seconded by Representative Phelps. The motion carried.*

Status of Counties' Hazard Mitigation Plans with Emphasis on School Districts' Participation

Brad Moeller, Kansas Division of Emergency Management, told Committee members that the Kansas Legislature, during the 2008 Session, had provided funding to match a grant from the Federal Emergency Management Agency (FEMA) to offer all of the counties in Kansas the opportunity to develop a hazard mitigation plan.

He stated hazard mitigation is an action(s) taken to eliminate or reduce the effects of a hazard, such as tornadoes or flooding, on people and property. These actions can be projects such as building school safe rooms or acquisition of properties located within areas that have repetitive flooding problems.

Hazard mitigation planning is accomplished for hazards that a community faces and takes into consideration the amount of risk and vulnerability that each may bring to the community. An important factor is the participation of various stakeholders which include: counties, cities, school districts, colleges or universities, water districts, private nonprofit agencies and private nonprofit utilities located within the county.

Mr. Moeller stated that within the Plan, the community must list all hazards that can potentially affect the community; assess the risk that each hazard poses; and note which localities of the community are the most vulnerable to these hazards. Once these tasks are complete, the community must devise a list of goals, objectives, and actions to be taken by each jurisdiction within the Plan.

With these tasks accomplished, the community must then document participation, or non-participation, of all stakeholders involved. Non-participation of any major stakeholder, such as a school district, will deem them ineligible for funding under the Plan.

Mr. Moeller continued by stating that once the Plan is complete, it is then sent to the Kansas Division of Emergency Management Mitigation Office where it is reviewed and forwarded to FEMA. FEMA will then assess the Plan and either approve or ask for revisions. Once adopted, the jurisdiction may then apply for grants from FEMA. Currently, Kansas is utilizing the Hazard Mitigation Grant Program which will fund a 75 percent federal share while the jurisdiction pays the remaining 25 percent for mitigation projects.

Mr. Moeller stated that all communities in Kansas are encouraged to develop a hazard mitigation plan; however, it is not mandatory. Those communities without a Plan **will not** have the ability to apply for mitigation grants, except when given a waiver from FEMA. Provision of a waiver normally occurs after a major disaster affecting the county that initiates a Federal Disaster Declaration. However, the absence of a hazard mitigation plan **does not** preclude a community from receiving Public or Individual Assistance after a Federal Disaster Declaration has been issued for their community (Attachments 1 and 2).

A question and answer session followed the presentation.

Highlights of the 2008 State Assessment Results for Reading, Mathematics, Science, History, and Government; and Discussion of School Finance Estimates in the 2009 Legislative Session

Dale Dennis and Diane DeBacker, Deputy Commissioners, Kansas State Department of Education, spoke to Committee members of the state assessment results for 2008. Committee

members were told that never before in the history of Kansas have the state assessment results been higher. Mr. Dennis gave the following statistics:

- Kansas 8th grade Reading Scores
For 2002, 59.2 percent at Standard or above
For 2008, 84.1 percent at Standard or above
- Kansas 7th grade Math Scores
For 2002, 50.3 percent at Standard or above
For 2008, 81.0 percent at Standard or above
- Kansas Science Assessments, Percent at Standard or Above
For the year 2001, 55.6 percent
For the year, 2008, 85.3 percent
- Kansas History/Government, Percent at Standard or Above
For the year 2001, 57.3 percent
For the year 2008, 81.7 percent

As a result of the current economic situation for Kansas, Committee members also were told that in Fiscal Year 2009, any major fiscal decreases would be difficult since staff contracts are signed and most of the revenue has been expended or encumbered.

Committee members were told of potential budget reductions for school districts for Fiscal Year 2010:

- Increase pupil-teacher ratios as a result of reduced teaching staff;
- Fund programs from contingency reserve fund;
- Reduce non-essential travel for students and faculty including field trips;
- Reduce instructional supplies;
- Reduce before and after-school programs;
- Reduce instructional support, such as reading coaches and paraprofessionals;
- Reduce professional development;
- Review and reduce non-licensed personnel such as custodians, food service workers, and maintenance;
- Reduce educational leadership;
- Delay textbook and computer rotation purchases;
- Delay purchase of school buses unless essential;
- Provide minimum increases in salaries;
- Struggle to meet health insurance increases;
- Delay implementation of all-day kindergarten;
- Reduce number of contact days to the minimum required by law;
- Reduce extracurricular activities including athletics and fine arts;
- Reduce security/resource officers;
- Increase local option budget for those districts that have not reached the maximum; and
- Discontinue transporting students not required by law.

Mr. Dennis also stated that potential reductions for FY 2010 will have a long-term effect, and the reductions will have an impact on academic achievement ([Attachment 3](#)).

Committee members were given an overview of the revised estimates for FY 2009 and State General Fund (SGF) estimates for FY 2010 (Attachment 4).

Committee members were given an overview of the school finance estimates for FY 2009 and FY 2010 (Attachment 5).

A question and answer session followed the presentation.

Kansas Autism Task Force Final Report

Dr. Bill Craig, Kansas Autism Task Force, spoke to Committee members regarding the conclusions and recommendations of the Kansas Autism Task Force. As a result of its findings, the Kansas Autism Task Force recommends the Legislature consider and adopt legislation as follows:

- Create a specific mechanism in the *tiny-k* funding formula to support local *tiny-k* providers who must provide high cost, intensive services when they are required by a child's Individualized Family Service Plan (IFSP).
- Expand funding of the Autism Medicaid Waiver to fully serve the current waiting list and transfer the future funding of this program to the consensus estimating process, where anticipated need will be the basis for funding. A waiting list is not an acceptable option.
- Pass legislation which requires that health insurance policies cover the diagnosis and appropriate treatment of individuals with autism.
- Pass legislation which creates and funds a scholarship program to support the education of professionals in the field of autism who agree to serve in underserved areas of the State.
- Pass legislation to fully fund the Mental Retardation/Developmental Disabilities Home and Community Based Waiver (HCBS) waiting list and create adequate rates for the Developmental Disability system.
- To complete the objectives set for it by the Legislature, the Kansas Autism Task Force must have its term extended for an additional year. The necessary legislative authorization to accomplish this should be made retroactive to January 2009.

In addition, the Department of Education should strive to ease the access to Catastrophic Aid funds for school districts who serve high-cost special education students, such as those with autism.

The Report also stated that it is incumbent on the three state agencies primarily responsible for services to individuals with autism (Kansas Department of Health and Environment, Department of Education, and Department of Social and Rehabilitation Services) to collaboratively maintain a dynamic mapping website of the availability of services and supports across the state for individuals with autism containing current contact information. This site should be readily available and usable by parents seeking information and service (Attachments 6 and 7).

Dr. Michael Wasmer, member of Kansas Autism Task Force and founder of Kansas Coalition for Autism Legislation, spoke to Committee members regarding the Accessing Autism Services Bill

(Kate's Law). Dr. Wasmer advised there are significant differences between Kate's Law and the Kansas Autism Waiver with regard to eligibility requirements and services covered.

The Autism Waiver provides evidenced-based behavioral therapy such as applied behavioral analysis (ABA). Other necessary services for children with autism, such as speech therapy, and occupational therapy, currently are not provided. The Autism Waiver does provide critical family services, such as respite care, which is not provided by insurance.

Kate's Law would require that insurance cover the diagnosis and treatment of autism for individuals less than 21 years of age and includes coverage for ABA, speech therapy and occupational therapy. State insurance legislation only applied to fully-funded policies. Approximately 38 percent of Kansans carry fully-funded, employer-sponsored health insurance. It is this population of Kansans that would benefit from the provisions of Kate's Law (Attachments 8 and 9).

A question and answer session followed the presentation.

2010 Commission Report and Recommendations

Sharon Wenger, Kansas Legislative Research Department, told Committee members of the recommendations made by the 2010 Commission as follows:

- The Legislature should approve a three-year school finance plan which extends current state law through school year 2012-2013 that provides for increases in state aid based upon the consumer price index–urban (CPI-U);
- The Legislature should approve a Professional Development Program at the Kansas Department of Education for the 2009-2010 school year totaling \$6,250,000;
- The Legislature should approve a budget of \$630,000 for the Kansas Department of Education for the 2009-2010 school year for use in leadership initiatives;
- The Legislature should extend the state law which allows for a second student count date for school districts meeting certain criteria related to increased students of military families, for an additional four years. In addition, this second student count should be a “net” increase count;
- The Commission will continue to monitor the progress of the Early Learning Coordinating Council and will request a report on the Council's work next year; and
- The Commission recognized that much has been done in the state to retain teachers and eliminate the teacher shortage. However, the Commission will continue to monitor activities in this area. (Attachment 10)

Technical Education Commission Report

Audrey Dunkel, Kansas Legislative Research Department, told Committee members of the recommendations made by the Kansas Technical College and Technical School Commission. The Commission noted the Kansas Postsecondary Technical Education Authority has made great strides in meeting the goals set out for it by the Commission and its enacting legislation by working toward certification of all technical education programs, allocating funding equitably, incorporating adequate

career guidance into the lower grades via the Kansas Career Pipeline, streamlining alignment of the needs of business and industry with what is being taught, and ensuring that completers of technical education programs throughout the state master a core set of skills.

However, there are more steps to be taken toward the goal of maximizing technical education in Kansas.

- Include P-20 initiatives for technical education in the hope of capturing those students who otherwise would leave high school without any marketable skills;
- Enhance awareness of the opportunities provided by technical education; and
- Development of long-term relationships with business and industry that address short-term and long-term needs on both sides.

The Commission also recommended the following statutory changes.

- Proposed changes to codify proviso language and current practice:
 - K.S.A. 72-4482, enacted in 2007, delineates the delegated powers and duties of the Postsecondary Technical Education Authority (TEA) which includes reviewing requests for state funding and making recommendations to KBOR regarding the amounts and distribution of these funds. The proposed amendment adds the specific verbiage from the 2007 appropriations bill proviso directing the TEA to develop and recommend a new funding structure for postsecondary technical education programs.
 - K.S.A. 72-4430, 72-4431, 72-4433 are the statutes pertaining to postsecondary aid for technical education. The proposed changes are requested to codify proviso language and intent of the Legislature, to reflect current practice for distribution of postsecondary aid and eliminate the wording requiring annual KBOR approval of tuition rates for coordinated institutions.
- Proposed changes to reflect current federal legislation:
 - K.S.A. 72-4408, 72-4411, 72-4412, 72-4413, 72-4414, and 72-4415 are statutes specific to the federal Carl D. Perkins legislation and the state plan required by this act. The proposed changes to these statutes are to reflect the name and terminology changes in the Carl D. Perkins Career and Technology Act of 2006.
 - K.S.A. 72-4427 pertains to participation in the federal Job Training Partnership Act which has expired. The proposed changes are to update this statute to reflect the current federal law (the Workforce Investment Act) and its public law number.
- Proposed changes to reflect current terminology:
 - The proposed changes to K.S.A. 72-4418, 72-4421, 72-4422, 72-4423, and 72-4425 are to replace outdated verbiage (“vocational education”) with

currently used terminology ("career technical education or career and technical education"), as appropriate.

- Proposed changes to remove wording or statutes no longer needed or obsolete:
 - K.S.A. 72-4416 specifies the process for establishing area vocational schools. Since all area vocational schools were required to merge or affiliate with an existing technical or community college or become an independent technical college, this statute is no longer needed. Repeal of this statute and elimination of the moratorium language in subsections (b) and (c) of K.S.A. 72-4412 is recommended.
 - K.S.A. 72-4436, 72-4437, 72-4438, 72-4439, 72-4444, 72-4445, 72-4446, 72-4447, 72-4448, and 72-4449 are statutes that pertain to vocational education instructional equipment aid and the state pool of instructional equipment which no longer exist and are being recommended for repeal.
 - K.S.A. 72-4470 addresses the powers and duties of the governing bodies for technical colleges. This statute is being recommended for repeal because it is duplicative, in that all of these powers and duties are restated in K.S.A. 72-4470a, which is set to expire on June 30, 2009.
 - As part of the Higher Education Coordination Act, K.S.A. 74-3205a, 74-3205b, and 74-3205c, were set to expire on June 30, 2003, and, as such, are recommended for repeal. (Attachment 11)

Afternoon Session

The meeting of the Legislative Educational Planning Committee (LEPC) was called to order at 1:30 p.m. by Chairperson Horst.

Higher Education Annual Update

Donna Shank, Chairperson, Kansas Board of Regents, told Committee members that the Kansas Board of Regents currently is conducting two presidential searches, one at Kansas State University and the other at Pittsburg State University. She advised the deferred maintenance program will be an issue of concern for the coming year. She stated the Board of Regents continues to monitor the state's workforce needs in the areas of nurses, teachers, and pharmacists.

Reginald Robinson, President and CEO, Kansas Board of Regents, addressed Committee members and gave an overview of the Board of Regents 2009 legislative initiatives, which included the following:

- Community College Property Ownership
This would permit community colleges to own property outside their local college taxing district, but within their assigned service area.

- KAN-ED Funding
This would amend current statutes to fully-fund KAN-ED from the Kansas Universal Service Fund (KUSF) at \$10 million per year. KAN-ED currently receives \$8 million in funding from the KUSF and \$2 million from the State General Fund, for a total of \$10 million per year. As it currently stands, the KAN-ED statute calls for KAN-ED to be funded at \$10 million per year from the SGF starting in FY 2010.
- Kansas Board of Regents (KBOR) Mandatory Retirement Plan Amendment
Current statutes allow KBOR Mandatory Retirement Plan participants to continue participation in that plan when they are on leave of absence from their educational institution and working for the executive branch of state government. New Federal Internal Revenue Code 403 (b) regulations that apply to educational retirement plans do not allow participation by employees who do not work for or provide services to an educational institution of the state, thus the reason for the statutory change.
- Kansas University Medical Center (KUMC) Tort Claims
Enact in statute, as opposed to budgetary proviso, the inclusion of medical students enrolled at KUMC for purposes of the Tort Claims Act. The statutory proviso was eliminated last year upon action by the Legislature. If the Legislature does not act during the 2009 Session, KUMC students who are in clinical training would not have desired liability coverage.
- State University Privately-Funded Construction
This would modernize and improve the current method of constructing and renovating buildings on state university campuses by eliminating the bureaucracy and restrictions involved in the process of hiring architects, engineers, and contractors. The proposal would amend current statutes to include all state university construction and renovation projects except those funded with state tax funds.
- State University Reimbursement of Moving Expenses
Update K.S.A. 76-727, "recruitment of personnel, payment of certain expenses," by eliminating the 12,000 pound weight maximum for moving expenses in section (b) (2). This enhancement would provide the Board of Regents and the state universities with the discretion to pay the full moving costs when recruiting chief executive officers and distinguished faculty and staff who have household goods that exceed the current limit. Also, this update will maintain institutional accountability by requiring verifiable receipts that substantiate expenses and that comply with federal tax guidelines for moving expense reimbursements. The statute also would be amended to allow moving expense reimbursements to be paid from both state and private funds.
- State University Student Financial Assistance
Amend current statutes to allow state universities, as authorized by the Board of Regents, to provide scholarships, fellowships, and tuition and fee waivers to undergraduate students, as well as to graduate students, for their educational programs. This amendment would grant the state universities the flexibility to use tuition and fee waivers for graduate and undergraduate students as a tool to achieve certain enrollment management goals.

- Technical Education Authority Amendments
Amend current law to: (1) codify appropriations bill proviso language regarding the development of a funding model for postsecondary technical education; (2) update references regarding the state plan for career and technical education and the federal Carl D. Perkins Act; (2) replace outdated “vocational education” terminology with the currently used “career technical education” where possible; and (4) repeal wording, statutes, or both, no longer needed or obsolete. (Attachments 12 and 13)

A question and answer session followed the presentation.

State University Admissions Task Force Final Report

Gary Sherrer, Regent, Kansas Board of Regents, and Chairman, State University Admissions Task Force, told Committee members that the primary charge of the Task Force was to advise the Board and make recommendations regarding optimal state university admissions policies for the year 2010 and beyond.

The Task Force determined that Qualified Admissions (QA) has served a number of purposes, including communicating that admission to Kansas’ universities is not automatic and helping to structure the high school experience through the creation of the QA pre-college curriculum. The Task Force also noted that a statute which is a decade old will not serve us well as we move into the 21st Century without constant review and enhancement. In addition, the Task Force noted that if future changes in admissions criteria ultimately are needed, they must be carefully thought out and based on quality research and data. The Task Force made the following recommendations to the Board:

- Implement annual data collection and reporting on the impact of the specific QA criteria, with particular emphasis placed on tracking the success of students once they have enrolled in postsecondary education;
- Continue annual collection and reporting of data on diversity, in particular data on student enrollment that reflects the state’s changing demographics;
- Remove admissions standards from statute and give the Board authority to establish admission standards;
- Admit resident and non-resident home-schooled and other students graduating from non-accredited schools with qualifying ACT or GED test scores;
- Update the QA pre-college curriculum, specifically the technology requirement;
- Allow non-resident students admitted in the conditional admissions category to continue at the institution as long as they meet the academic requirements of the institution;
- Count algebra taken in middle school toward satisfying the Board’s QA curriculum requirements. The Task Force further supports adoption of a pre-college curriculum that requires successful completion of a math course in the senior year;

- Coordinate the electronic reporting of completers of the pre-college curriculum to the State Department of Education and enable transcripts to reflect this status;
- Continue the Kansas Core Outcomes project in light of the increasing trend of students who come to a university with transfer credits, or are earning transfer credits while enrolled at a university;
- Develop a separate exception window for transfer students; and
- Continue the recently initiated concurrent enrollment program data collection process and expand with results used to assure a consistent level of quality.

Mr. Sherrer told Committee members that the recommendations presented can be considered one element of the Board's agenda to foster participation in higher education, alignment between K-12 and postsecondary education, student persistence (and success) in higher education, supporting outcomes-based assessments of the skills necessary to succeed in life, and supporting the Kansas economy. (On file - State University Admissions Task Force, Findings and Recommendations, October 2008, Kansas Board of Regents)

A question and answer session followed the presentation.

Chairperson Horst told Committee members that the next meeting is scheduled for Friday, November 21, 2008 at 9:00 a.m.

The meeting was adjourned at 3:00 p.m.

Friday, November 21, 2008 Morning Session

The Legislative Educational Planning Committee meeting was called to order by Chairperson Horst at 9:00 a.m.

Review and Make Final Recommendations for Presentation to the 2009 Legislature

Chase County – LCC Referred Topic

Senator Jim Barnett told Committee members that Chase County is ranked as a high wealth district because of high property values, but because there are very few public school students, the property value per student is high. Senator Barnett stated statistics had been developed as to the number of districts with similar circumstances. It was determined there are only five districts in the state that are similar (Attachments 14 and 15).

A question and answer session followed the presentation. Chairperson Horst recommended the Committee make a statement in the final report regarding this issue and develop appropriate language to be considered by the Committee and Senator Barnett, which could be discussed with standing education committees.

Brief Discussion Regarding Federal Impact Aid and School Districts with Military Dependents

Representative Barbara Craft spoke to Committee members and advised when she addressed the Committee before, there were two issues of discussion. The first issue was for a second count date for military students and the second issue involved reconsidering the way the Federal Impact Aid is distributed.

Representative Craft advised the second count date is in its fourth year and will expire at the end of this year unless legislation is passed authorizing an extension. The money received for the second count date has been very beneficial for the school districts which are impacted by the growth of military students in their district. Representative Craft requested support of the 2010 Commission's recommendation that the second count date be extended for another four years with a net increase of students being reported.

Representative Craft told Committee members that because of the state's financial crisis, her request for reconsideration of the Federal Impact Aid distribution was being canceled.

Ron Walker, Superintendent, Geary County USD 475, told Committee members that his school district has earned 109 Kansas State Department of Education Standards of Excellence awards and five additional Confidence in Education Task Force Challenge Awards.

He stated that over 3,500 soldiers have been deployed to Iraq and Afghanistan. The number of dual deployments also increased with more husband and wife teams being simultaneously deployed. He advised that within several schools, located primarily at Fort Riley, there are over 60 percent of the children in attendance who have one or both parents deployed.

Mr. Walker told Committee members that his district and students remain in a constant transition. With each deployment, approximately 30 percent of the families move to their home state to be close to family members. However, as more troops are reunited, the district will pick up between 30-40 percent new students.

Mr. Walker advised that a school district like USD 475, that is 60 percent impacted by the military, desperately needs the revenue generated by the second count date. Mr. Walker introduced a new phrase to Committee members, "Living in the New Normal." This new phrase describes the challenges faced by the military child. It describes students who wake up each morning for 12 months not really knowing where one of their parents is or if they are doing fine. It describes working through grief, disappointment, happiness, and joy (absent a parent) and sometimes having to face the reality of death or serious injury to a parent.

Mr. Walker thanked Committee members and members of the 2010 Commission for their support to Geary County and the military children (Attachment 16).

A question and answer session followed the presentation.

Written testimony from Robert Shannon, Superintendent, Manhattan-Ogden USD 383, in support of the second count date for military students was distributed to Committee members (Attachment 17).

Written testimony from Dr. Mike Wasmer regarding follow-up on questions regarding autism and Kate's Law was distributed to Committee members (Attachment 18).

Proposed Bills to be Considered for Introduction

Chairperson Horst advised Committee members to refer to the memorandum prepared by Sharon Wenger, Kansas Legislative Research Department, for topics reviewed by the LEPC during the Interim Session (Attachment 19).

Chairperson Horst also advised Committee members to refer to the Proposed Legislation material prepared by Theresa Kiernan, Office of the Revisor of Statutes, for proposed bills to be considered for introduction by the Committee (Attachment 20).

Revisor of Statutes (RS) Number: 9rs0030
Requested by: 2010 Commission
Description: Extends through school year 2012-2013 the second-count date provision for military children; modify the existing provision so that only the net increase in children would be used when computing the general fund budget of the USDs. (Attachment 21)

Senator Teichman moved the Committee recommend the language of the bill (second-count date) for consideration and introduction during the next Session. The motion was seconded by Senator Pine. The motion carried.

RS Number: 9rs0032
Requested by: LEPC
Description: Establishes the School Medication Aide Act, authorized administration of epinephrine. (Attachment 22)

Senator Vratil moved the LEPC recommend legislation on this topic and that the LEPC authorize the introduction of the legislation, further that the LEPC authorize the Revisor's Office, the School Nurses Association, and the Board of Nursing to further define the draft legislation, including in that legislation provisions that will make the ability to administer epinephrine available to schools with nurses and schools without nurses. The motion was seconded by Senator Pine. The motion carried.

RS Number: 9rs0017
Requested by: KBOR/Postsecondary Technical Education Authority
Description: Funding model for postsecondary technical education; updates statutory references regarding the state plan for career and technical education and the Carl D. Perkins Act; updates terminology in statutes; repeals obsolete or unnecessary statutes. (Attachment 23)

Representative Ballard moved the LEPC recommend the introduction of 9rs0017. The motion was seconded by Representative Phelps. The motion carried by show of hands. Senator Teichman requested to be recorded as opposed because she wanted the funding concept introduced as a separate bill.

RS Number: 9rs0019
Requested by: KBOR/KAN-ED
Description: All funding of KAN-ED would be from the Kansas Universal Service Fund (KUSF) in an amount of \$10 million per year. Currently, \$8 million in funding comes from the KUSF and \$2 million from the State General Fund. ([Attachment 24](#))

Senator Vratil moved the LEPC recommend bill 9rs0019 and authorize it to be introduced. The motion was seconded by Representative Ballard. [The motion carried.](#)

RS Number: 9rs0020
Requested by: KBOR
Description: Would not allow a person who is on a leave of absence from a university and working for the executive branch of state government to participate in the mandatory retirement plan. The change is necessary to comply with federal 403(b) regulations. ([Attachment 25](#))

Senator Francisco moved the LEPC recommend bill 9rs0020 and authorize it to be introduced. The motion was seconded by Representative Phelps. [The motion carried.](#)

RS Number: 9rs0022
Requested by: KBOR/KU
Description: Includes medical students enrolled at the University of Kansas Medical Center within the definition of employee under the Kansas Tort Claims Act. ([Attachment 26](#))

Senator Vratil moved the LEPC recommend bill 9rs0022 and authorize it to be introduced. The motion was seconded by Representative Ballard. [The motion carried.](#)

RS Number: 9rs0023
Requested by: KBOR/KU
Description: Eliminates certain restrictions involved in the process of hiring architects, engineers, and contractors for the construction and renovation of state university buildings which is funded with non-state moneys. ([Attachment 27](#))

Senator Vratil moved the LEPC authorize the introduction of bill 9rs0023 and that the LEPC take a neutral position on this bill. The motion was seconded by Representative Ballard. [The motion carried.](#)

RS Number: 9rs0026
Requested by: KBOR/KU
Description: Deletes the 12,000 pound limitation on moving expenses which may be paid by state universities when recruiting personnel. ([Attachment 28](#))

Senator Teichman moved the LEPC recommend bill 9rs0026 and authorize it to be introduced. The motion was seconded by Representative Ballard. [The motion carried.](#)

RS Number: 9rs0027
Requested by: KBOR/KU
Description: Allows state universities, as authorized by the state board of regents, to provide scholarships, fellowships and tuition and fee waivers to undergraduates. Currently, tuition and fee waivers are limited to graduate students. (Attachment 29)

Senator Francisco moved the LEPC recommend bill 9rs0027 and authorize it to be introduced. The motion was seconded by Representative Ballard. The motion carried.

RS Number: 9rs0035
Requested by: KBOR/Community colleges
Description: Allows community colleges to acquire property within the service area of the community college. Currently, community colleges cannot acquire property outside of the community college district. (Attachment 30)

Senator Teichman moved to remove the word "only" from the first line of Section(d) of the proposed bill, and the LEPC recommend bill 9rs0035 and authorize it to be introduced. The motion was seconded by Senator Vratil.

Senator Francisco made a substitute motion to recommend taking out the word "only" and "or service area of the community college," (both from subsection (d) of Section 1 of the proposed bill). The substitute motion failed for lack of a second.

Senator Vratil made a substitute motion to insert a period after the word "act" and delete the wording "but no board of trustees may enter into a contract for the construction of improvements on any such land after the effective date of this act" (last sentence of subsection (d) of Section 1 of the proposed bill). The substitute motion was seconded by Senator Teichman. The substitute motion carried.

Committee members voted on the original motion. The motion carried.

RS Number: 9rs0031
Requested by: 2010 Commission
Description: Extends through school year 2012-2013 the provision which would increase the amount of state aid in an amount equal to the percentage increase in the CPI-U. (Attachment 31)

Senator Francisco moved the LEPC recommend bill 9rs0031 and authorize it to be introduced. The motion was seconded by Senator Vratil. The motion carried.

RS Number: 9rs0001
Requested by: Autism Task Force
Description: Requires health insurance policies offered by employers of more than 50 employees to cover costs for the diagnosis and treatment of autism. (Attachment 32)

Senator Francisco moved the LEPC recommend bill 9rs0001 and authorize it to be introduced. The motion was seconded by Representative Phelps. Senator Teichman recommended the bill be double referred to Senate health and insurance standing committees. Senator Francisco agreed to include this recommendation in the original motion. The motion carried.

RS Number: 9rs0005
Requested by: Autism Task Force
Description: Establishes the Autism Service Scholarship Program Act.
(Attachment 33)

Representative Ballard moved the LEPC recommend bill 9rs0005 and authorize it to be introduced. The motion was seconded by Senator Vratil. The motion carried.

By consensus of the Committee, no action was taken for the following topics:

- Virtual Education;
- Recruitment and Retention of Teachers;
- State Use Law;
- Healthy and Prepared Schools Commission;
- Hazard Mitigation Plans; and
- School Building Inspections.

Chairperson Horst told Committee members that Sharon Wenger, Kansas Legislative Research Department, would be sending the final report to all Committee members via e-mail and approval of the Report should be by return e-mail.

Chairperson Horst thanked Committee members and staff for their support and input during this Interim Session.

The meeting was adjourned at 11:50 a.m.

Prepared by Janet Henning
Edited by Sharon Wenger

Approved by the Committee on:

December 22, 2008
(Date)