

MINUTES OF THE SENATE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Dwayne Umbarger at 1:35 p.m. on February 6, 2002 in Room 123-S of the Capitol.

All members were present except: Senator Hensley (excused)

Committee staff present: Ben Barrett, Legislative Research
Carolyn Rampey, Legislative Research
Theresa Kiernan, Revisor of Statutes
Dale Dennis, Deputy Commissioner of Education
Judy Steinlicht, Secretary

Conferees appearing before the committee: Chuck Stones, Kansas Bankers Association
Amy Brunner, KASB
Val Defever, State Board of Education
Rod Bieker, General Counsel, State Board of Education
Mark Desetti, KNEA

Others attending: See Attached List

Bill Introductions:

Senator Lee made a motion to introduce a bill to give Hoisington some assistance because of their loss of student enrollment loss due to a tornado disaster. Seconded by Senator Corbin. Motion carried.

Senator Schodorf made a motion to introduce a bill that patterns the recommendations from the Governor's Education Task Force to amend special education distribution to a 3-tier weighting system and the bill would further direct the Department of Education to establish an advisory group of special education directors and superintendents to review and oversee the categories. Seconded by Senator Downey. Motion carried.

Senator Schodorf made a motion to introduce a bill that would eliminate the requirement of the full LOB to qualify for the new facility weighting. Currently school districts must have a full 25% LOB to receive the new facility weighing. Seconded by Senator Vratil. Motion carried.

Senator Vratil made a motion to introduce three bills: the first is the Governor's bill to increase Base State Aid Per Pupil by \$20 from \$3,870 to \$3,890; the second bill is to provide that school districts who merge may retain their combined budget authority for five years (increased from the current two years) and apply the same principle to a school district that is disorganized and attached to another district; the third bill would provide that Base State Aid Per Pupil will increase each year based on the rate of increase of the Consumer Price Index and that the correlation weight threshold will be reduced by 25 students from 1725 to 1700. Seconded by Senator Downey. Motion carried.

Senator Umbarger made a motion to introduce two bills: the first is a bill to end funding for the parent education program as a separate categorical aid program and instead fund as a weight of .17 in the school finance formula; the second bill is a recommendation of the State Board of Education for health insurance for teachers which would provide single premium health coverage to all school districts, dollar for dollar, local match; all district employees would be required to participate. It would be phased in over a three year period. Seconded by Senator Schodorf. Motion carried.

Continued hearing from April 5, 2002 on SB403--Postsecondary education savings program, elimination of two-year waiting period for withdrawal, elimination of the state penalty on nonqualified withdrawal and exemption from creditors

Chuck Stones, Kansas Bankers Association spoke as an opponent to **SB403**. KBA is not opposed to the Learning Quest Savings Program but they are opposed to Section 1 of the bill which would add education savings accounts to the list of financial assets that could be shielded from creditors in bankruptcy proceedings. KBA says that exemptions to bankruptcy have been carefully crafted over the years. They

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understand that the bill is intended to make the savings plan more marketable, but the plan is already ranked among the highest in the country. If the Legislature wants to make the plan more attractive, an idea would be to reduce the minimum amount needed to open an account and reduce the minimum amount needed to make a contribution to that account. KBA would urge the Committee to remove Section 1 from **SB403**. (Attachment 1) The Committee discussed the concerns of protection of funds from creditors in bankruptcy and questions were answered by Mr. Stones.

Hearing on SB402—Charter Schools; definitions, rules and regulations, program goals

Amy Brunner, KASB, gave testimony as a proponent on **SB402**. KASB is not opposed to the intent of this bill as it is written, but would oppose any amendment that would undermine the authority of local school boards in governing charter schools. (Attachment 2)

Val DeFever, State Board of Education, testified as a proponent for **SB402**. The bill clarifies the definition of charter schools as a separate and distinct school. The bill would grant the State Board of Education authority to disapprove a charter school that is not likely to achieve their program goals. It would also grant the State Board authority to disapprove a charter school that is requesting renewal if they have not demonstrated progress in the achievement of their students. (Attachment 3)

Rod Bieker, General Counsel for the State Board of Education, explained the amendments they recommend for **SB402**. The amendments are shown in (Attachment 4)

Mark Desetti, KNEA, also spoke as a proponent of **SB402**. He said KNEA agrees with the changes to charter school provisions addressed in the bill. The bill helps define the charter schools in a new way. It would allow the State Board of Education to examine the charter application relative to the goals of the charter school and deny a petition if they believe the school is not likely to achieve those goals. They have no argument with this addition, but are concerned about the language being removed. KNEA urges the Committee to add the new language relative to program goals but not to strike the current language relative to compliance with law. (Attachment 5)

The amendments to the bill were discussed at length with Rod Bieker answering questions for the Committee. Senator Vratil stated that it was a good bill, that the LEPC Committee studied it thoroughly over the summer.

Senator Vratil made a motion to amend **SB402** as proposed by the State Board of Education. Seconded by Senator Downey. Motion carried.

Senator Corbin made a motion to pass favorably **SB402** as amended. Seconded by Senator Schodorf. Motion carried.

SB401 was scheduled to be heard today, however, time ran out and **SB401** will be rescheduled.

Meeting adjourned 2:30 p.m.