

## MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 1:37 p.m. on March 8, 2004 in Room 123-S of the Capitol.

All members were present except:

Senator Anthony Hensley (excused)

Committee staff present:

Carolyn Rampey, Legislative Research  
Kathie Sparks, Legislative Research  
Theresa Kiernan, Office of the Revisor of Statutes  
Judy Steinlicht, Committee Secretary

Conferees appearing before the committee:

Rod Beiker, Kansas State Board of Education  
Theresa Kiernan, Revisor of Statutes  
Representative Willa DeCastro  
Representative Dan Timesch  
Terry Forsyth, Kansas National Education Association  
Mark Tallman, Kansas Association of School Boards

Others attending:

See Attached List

### **Sub HB 2558—Charter schools, procedures and reports**

Rod Beiker, Kansas State Department of Education, testified in favor of **Sub HB 2558**. The State Board requested this bill to accommodate its meeting schedule and change the deadline for State Board action from April 1 to April 15. The State Board has no opposition to the modifications made by the House. ([Attachment 1](#))

Theresa Kiernan, Revisor of Statutes, gave an overview of the amendments to **Sub HB 2558**. The House amended the bill to require an estimate of the amount of federal funds to be expended and a description of how the school will operate after the federal funds are no longer available in the application for a charter; require the State Board of Education to specify in writing why a petition is denied and allow that within 30 days the petitioner can make the necessary correction and the State Board will provide reconsideration within 60 days; require that the appropriate local board specify in writing why a petition is denied and allow that within 30 days the petitioner can make the necessary corrections and the local board will provide consideration; allow for the renewal process to be held in five years instead of every three years; require a local board to file a statement with the State Board of Education of the reasons why a charter school was discontinued or did not seek renewal; and change the date from April 1 to April 15 by when the State Board of Education is required to notify approval or disapproval of a charter school application. ([Attachment 2](#))

Representative Willa DeCastro came before the committee to give a report on the subcommittee findings on **Sub HB2558**. The subcommittee's assignment was primarily to answer four questions. First, they determined that the charter schools were required to do all the same testing as other schools, were required to meet all accountability and accreditation standards, meet state graduation requirements and hire highly qualified teachers, therefore, they would comply with No Child Left Behind. Second, the subcommittee did not believe that Kansas has a "weak" Charter School Act since charter schools are held to the same accountability, testing and standards as all other schools in Kansas. Third, the subcommittee reviewed all of the charter schools in Kansas and found that only a few had really distinct programs while the others had programs that were very much like any school district. Fourth, the subcommittee spent time on definition of charter and alternative schools and found that there was no clear definition. Representative DeCastro said that the subcommittee left it up to the legislature's discretion if they want to change the definition.

Representative DeCastro said that Kansas now has 32 charter schools, of which 23 are in their third year of operation. Only 8 have applied for renewal, 12 were not eligible for renewal and it was unknown why

## CONTINUATION SHEET

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the other 3 had not applied for renewal. The State Board has received 17 applications for new schools.

Representative DeCastro talked about the amendments recommended by the subcommittee which are the same as listed above in Theresa Kiernan's overview. (Attachment 3)

Representative Dan Timesch participated in subcommittees under previous education leadership and asked Representative DeCastro if he could sit in on their meetings. He has five charter schools in his district and applications for two new charter schools. The changed law would affect the renewed and new charter schools. Representative Timesch said he strongly supported the amended law and encouraged passage of **Sub HB2558**.

Terry Forsyth, KNEA, testified in favor of **Sub HB2558**. He said the bill maintains strict accountability that governs all public schools and a curriculum and methodology designed for a specific group of students. **Sub HB2558** allows charter schools more time to test and perfect their ideas. KNEA recommends passage of the bill. (Attachment 4)

Mark Tallman, KASB, believes the issues recommended by the subcommittee and included in **Sub HB2558** are acceptable. (Attachment 5)

### **Sub HB 2592–Mediator in school territory transfer disputes**

Rod Beiker, Kansas State Board of Education, testified in favor of **Sub HB2592**. This bill will allow local boards of education to use mediation on their own when local boards are unable to agree on a proposed transfer of territory between their districts. Under the proposed law, the State Board would maintain a list of qualified mediators and appoint a mediator upon request to do so. The \$500 cost of the mediation would be paid by the school district that seeks the transfer. If an agreement is not reached through mediation, the option of filing a petition with the State Board will still exist. (Attachment 6)

Senator Teichman made a motion to amend **Sub HB2592** to be effective in the register and to recommend **Sub HB2592** as amended favorably for passage. Seconded by Senator Lee. Motion carried.

Senator Schodorf made a motion to approve the minutes for March 2 and March 3. Seconded by Senator Teichman. Motion carried.

Meeting adjourned at 2:30 p.m. The next meeting is scheduled March 9, 2004.