

## MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:40 p.m. on March 19, 2007, in Room 123-S of the Capitol.

Committee members absent: Pat Apple  
Roger Pine

Committee staff present: Sharon Wenger, Kansas Legislative Research Department  
Michele Alishahi, Kansas Legislative Research Department  
Ashley Holm, Kansas Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: None

Senator Schodorf briefly discussed, **Sub. for HB 2310** concerning policies relating to bullying, which the Committee recommended to be passed as amended on March 12. She informed the Committee that, after the Committee took action on the bill, the education lobby suggested to her that there was an easier way to report information to the State Department of Education than through a survey. She explained that she planned to offer an amendment to remove the language pertaining to the survey. She noted that the education lobby promised to convene a meeting to formulate a way to report bullying information to the State Department of Education.

Possible action on bills previously heard:

**HB 2159 – School finance; enrollment; date of determination**

Senator Vratil distributed copies of a memorandum prepared by Dale M. Dennis, Interim Commissioner of Education, with a spreadsheet attached relating to a survey of Kansas school districts concerning an estimate of the number of students who might enroll between September 20, 2007, and February 20, 2008 (excluding military students). (Attachment 1) Mr. Dennis said that he noticed that several school districts would not qualify under the bill due to the provisions; therefore, the cost for additional students would be approximately one-third lower than \$9,859,750 as indicated in the memorandum.

Noting the he supported **HB 2159** which is needed by the Fort Riley school district as it experiences rapid enrollment growth, Senator Vratil noted that it occurred to him that there may be other school districts in the state growing as rapidly as the school districts in the Fort Riley area; therefore, he had requested that Mr. Dennis prepare the spreadsheet. He then distributed copies of a proposed amendment which would open the second count provision to any school district that is experiencing a growth of at least one percent or 25 students between September 20 and February 20. (Attachment 2) He went on to say that he felt that the amendment was the only fair way to deal with the situation because the impact was exactly the same for any school district in the state.

In response to Senator Vratil, Senator Lee commented that she felt there was a significant difference because **HB 2159** was intended to address children of military families who move into the state, not children of families who move within the state. She suggested that many of the increases in enrollment in other school districts were due to another district within the state losing students. She pointed out that the bill was meant to address funding for a one-time situation. In her opinion, the proposed amendment involved a new policy issue that should be dealt with in a separate bill. Senator Vratil responded that he did not feel that it makes any difference at all whether the students come from outside the state or from inside the state because the need to hire additional teachers, the need for more classroom space, and the need for more educational materials and equipment would be exactly the same for any school district experiencing rapid growth. After further committee discussion, Senator Vratil said that perhaps his proposed amendment could be amended into another bill. Mr. Dennis said he would prepare another spreadsheet reflecting more accurate data.

Senator Vratil distributed a handout with graphs entitled “KSBE Proficiency Levels for Mathematics and Reading 2002 – 2014.” (Attachment 3) He explained that the graphs concerned the No Child Left Behind proficiency levels required for schools to keep their accreditation. Noting that the State Board of Education

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built the No Child Left Behind proficiency standards into their school accreditation requirements, he offered an amendment intended to preclude another school finance lawsuit in the future. (Attachment 4) He explained, "At some point in time when we have enough students failing to meet the proficiency standards that are required by State Board of Education regulations, we're going to have another school finance lawsuit on the basis that the Legislature is not providing enough money for students to reach these proficiency standards; therefore, our schools are not accredited; therefore, the Legislature is failing to provide suitable funding for schools. I guarantee you that, if these proficiency standards remain a part of our accreditation process, a lawsuit will occur. This amendment is an attempt to forestall that. It's not saying that we shouldn't strive for 100 percent proficiency. It's saying it should be a goal and not a requirement." Committee discussion followed, and it was the consensus of the Committee that more information was needed on the impact the amendment would have on No Child Left Behind. Mr. Dennis agreed to provide information on the difference between accreditation and No Child Left Behind at the next Committee meeting.

Senator Vratil moved to amend **HB 2159** by inserting New Sec. 2 (a) as shown on page three of Attachment 4, seconded by Senator Allen. The motion failed.

Senator Teichman moved to recommend **HB 2159** favorably for passage, seconded by Senator Ostmeyer. The motion carried.

Senator Schodorf informed the Committee that more information would be provided on at a future meeting the portion of **HB 2343**, which dealt with tuition for persons who have served in the military in Afghanistan and Iraq.

The meeting was adjourned at 2:15 p.m.

The next meeting is scheduled for March 20, 2007.