

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:40 p.m. on March 22, 2007, in Room 123-S of the Capitol.

Committee members absent: Chris Steineger
Ralph Ostmeier

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

Continued discussion on: **SB 384 – Concerning early childhood education services**

Senator Schodorf informed the Committee that a group of the four stakeholders (Kansas Department of Health and Environment, Kansas Department of SRS, Kansas Department of Education, and Kansas Children's Cabinet) met earlier in the day and developed an amendment for **SB 384**. Theresa Kierman, Revisor of Statutes Office, distributed copies of the balloon amendment. (Attachment 1) She explained that the balloon strikes all of the current provisions in the bill and reinserts the study portion of the original bill with several changes to that section. She reviewed the provisions in Section 1 as shown on the last two pages of the balloon. She noted that paragraphs (1) through (12) have the same provisions that were in the original bill except the term "early childhood care and education services" are used instead of "early childhood education". She noted that the provisions in paragraph (13) in the original bill addressed the formation a new agency and a plan to provide for the transfer of all the powers to that agency. As shown in the balloon, (13) provides that the study would determine whether or not all or a portion of the early childhood care and education services provided by various state agencies should be consolidated into a single state agency or reorganized among one or more agencies and that a plan for such consolidation or reorganization be prepared. Ms. Kiernan went on to review the provisions in Subsections (b), (c), and (d) concerning the duties of the coordinating council.

Jim Edwards, Kansas Association of School Boards, commented that, after the Education Committee met on March 21, there was a sense that the Committee wanted to continue posthaste with early childhood learning legislation; therefore, a group of stakeholders met during the morning of March 22 to develop the balloon amendment. He clarified that KASB did not participate in the preparation of the amendment. He recalled that it was determined at the March 21 meeting that there was a need to look at two separate issues – the structure of the group itself and how the different pieces fit once you have that structure. The stakeholders attempted to address the issues through the balloon amendment. He commented, "The thing that we wanted to do with this document was to make sure that this session of the Legislature dealt with this issue."

Senator Vratil commented, "I appreciate what the group has attempted to do in drafting this, but I don't believe what they're proposing is anything close to what the Task Force intended. The Task Force met for six to eight weeks on numerous occasions, thoroughly considered a lot of testimony that we heard. They felt, I think without exception, that LEPC and the 2010 Commission were the appropriate bodies to do this study. Upon recommendation of Abby yesterday, we contemplated adding the Commissioner of Education and the Secretary of SRS and KDHE. Certainly, when I was contemplating that, I did not have in mind those people appointing proxies to stand in for them. I think it's very important that those secretaries and commissioners be involved themselves so that they are invested in it, and we have direct input from the people who ultimately will be making the decisions. Once again, I appreciate the effort, but I think it misses the mark of what the Task Force intended." He went on to say, "I think the way we were headed yesterday was the right direction; to implement Section 1 next year and leave the subsequent sections for later consideration. What I would do is just amend **SB 384** by deleting everything after Section 1, and I would add a provision wherever the revisor felt it was necessary indicating that the Commissioner of Education, the Secretary of SRS, the Secretary of Health and Environment, and the Executive Director of the Children's Cabinet would be ex-officio members of the 2010 Commission and LEPC for purposes of this study. I think it's very important that we have those people at the table and not somebody that they send to represent them."

CONTINUATION SHEET

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Mr. Edwards explained that the stakeholders did not see paragraph (13) as being a replacement for a group already in existence, the Early Learning Coordinating Council. They saw it as being an add on to what they would provide. The other issue was, LEPC does not have members that represent the other stakeholders.

Senator Vratil said that the Task Force clearly believed that the coordinating group for early childhood education should either be an independent state agency or part of one state agency. Members felt the current situation where responsibility for the various childhood education programs is divided among the Department of Education, SRS, KDHE, and Juvenile Justice was part of the problem because it is splintered among several state agencies, and there is little or no coordination or collaboration among those agencies. Therefore, the Task Force wrote in paragraph (13) that the plan should recommend whether or not the office of early childhood education service should be an independent state agency or within an existing state agency. However, (13) in the proposed balloon offers as another alternative dividing it up among agencies again, which the Task Force felt had been a failure in the past.

Senator Teichman moved to amend SB 384 by striking Sections 2 through 5, seconded by Senator Vratil. The motion carried.

Senator Vratil moved to further amend SB 384 by adding a provision making the Commissioner of Education, the Secretary of the Department of SRS, the Secretary of the Department of Health and Environment, and the Executive Director of the Kansas Children's Cabinet ex-officio members of the 2010 Commission and the Legislative Educational Planning Committee for purposes of doing the study that is called for in SB 384 and by inserting language in the appropriate place as determined by the revisor to indicate who is in charge of calling the meetings, seconded by Senator Lee. The motion carried.

Senator Teichman suggested that perhaps a compromise could be reached on paragraph (13) to satisfy everyone. She recalled that conferees expressed concern that (13) assumes the outcome of the study. In response, Senator Vratil said that the Task Force decided that the coordinating body for early childhood education should either be a free-standing agency or a part of some existing agency and that there should be plan for a transfer of power from the various departments listed to one agency, and the Task Force did not intend to give the study group the discretion to consider other things.

After further discussion, the Committee requested that Senator Jordan, who was the Chairman of the Senate Task Force on K-12, to respond to the questions regarding the recommendations by the Task Force. Senator Jordan confirmed that the Task Force's intent was to have early childhood education services under one agency; however, he noted that other states have an office for early childhood education services, but everything under that office is not necessarily located at that agency. He commented, "I think the reason we designed the bill the way we did was, we were hoping people would sit down and come to a good, common sense conclusion about how to organize this office. Again, our goal is to have the best coordinated, efficient, quality early childhood education system that we can have in the state of Kansas. The complication of the funding stream is pretty significant in the whole process and in the system. So I guess I'd say, Senator Vratil, yes, I think it would be best to be that way, but I think we designed the bill so that if that's not the best, whatever is not under the main umbrella, the main agency has to be connected to it and has to have some kind of direction from that main agency or you lose the whole coordination direction thrust that we're trying to accomplish in this bill. I guess what I'm saying is, it doesn't necessarily have to be all in one place, but it needs somehow to be answerable to one place in some way so that the communication, direction, coordination, and everything else is there. Otherwise, you're in the same position that you are in today. I think that what we were trying to do is design some flexibility in the bill so that those kind of things can be hammered out so that we don't mess up somebody's federal funding streams and that we don't make somebody suffer for what we're trying to do. I personally think it would be great if they could all be in one place, but I'm not sure that's practical."

Senator Vratil moved to recommend SB 384 favorably for passage as amended with the opportunity for floor amendments, seconded by Senator Teichman. The motion carried.

The meeting was adjourned at 2:30 p.m. No further meetings are scheduled.

CONTINUATION SHEET

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