

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 9:00 a.m. on February 11, 2009, in Room 711 of the Docking State Office Building.

All members were present except:

Representative Ed Trimmer- excused

Committee staff present:

Sharon Wenger, Kansas Legislative Research Department

Theresa Kiernan, Office of the Revisor of Statutes

Dale Dennis, Kansas State Department of Education

Janet Henning, Committee Assistant

Conferees appearing before the committee:

Representative Lance Kinzer

Representative Mike Kiegerl

Missy Taylor, Kansas Families for Education

Val DeFever, Schools for Quality Education

Mark Desetti, Kansas National Education Association

Mark Tallman, Kansas Association of School Boards

Holly Weatherford, Planner Parenthood of Kansas and Missouri

Hannah Kapp-Klote, Free State High School student

Pamela Crandall, Metropolitan Coalition for Responsible Sex Education

Kari Ann Rinker, National Organization for Women

Thomas Witt, Kansas Equality Coalition

Barbara Holzmark, Concerned Volunteer and Kansas Public Affairs Chair, National Council of Jewish Women, Greater Kansas City Section (Written testimony)

Erin Doughty, K-State Students for Choice (Written testimony)

HB 2227 - School districts; autism scholarships.

Representative Lance Kinzer spoke to Committee members as a proponent of **HB 2227**. Representative Kinzer told Committee members that **HB 2227** would allow public school students with autism or autism spectrum disorder to attend a participating public or private school of their choice using a state funded scholarship. In order to be eligible for the program, the student must have an individual education plan (IEP) which costs in excess of \$25,000, thus qualifying the student for catastrophic aid. School choice programs such as the one proposed in **HB 2227** are about maximizing educational opportunities for Kansas children. Representative Kinzer told Committee members that the education policy in Kansas should be kid focused, not system focused. (Attachment 1)

Representative Mike Kiegerl spoke to Committee members as a proponent of **HB 2227**. Representative Kiegerl told Committee members that one out of every 150 children is autistic and this is a lifelong condition with no medical cure and can be an enormous burden on both the child and the parents. Committee members were told that often a child is diagnosed at 2 - 3 years of age and if intensive, goal directed treatment can be provided at that point. The chances for successful attendance in school and even the possibility of gainful employment following graduation increases substantially. Representative Kiegerl stated that **HB 2227** gives parents a choice. Awarding a scholarship will allow parents to carefully investigate a school district's program and choose the one best suited for their child. (Attachment 2)

A question and answer session followed the presentations.

Missy Taylor, Kansas Families for Education, spoke to Committee members as an opponent of **HB 2227**. Ms. Taylor told Committee members that their concern with the legislation is that it in no way guarantees a better education or improved academic performance of students with autism, and in fact, it does not require the school to follow the individual education plan that was used to calculate the scholarship amount. Ms. Taylor further advised the academic performance could decline within the private school setting because the "participating schools shall be given the maximum freedom to provide for the educational needs of their students without governmental control." (Attachment 3)

CONTINUATION SHEET

Minutes of the House Education Committee at 9:00 a.m. on February 11, 2009, in Room 711 of the Docking State Office Building.

Val DeFever, Schools for Quality Education, spoke to Committee members in opposition to **HB 2227**. Ms. DeFever stated her concern centers around the ability of the small schools to address the needs of any special population outside the established setting, the shortage of special education teachers and the fact that there are efforts underway to more fully meet the needs of these children. (Attachment 4)

Mark Desetti, Kansas National Education Association, spoke to Committee members in opposition to **HB 2227**. Mr. Desetti told Committee members this bill is carefully crafted to ensure that one can never get an accurate fiscal note. In truth, there is a potentially large fiscal not to the resident school district. (Attachment 5)

Mark Tallman, Assistant Executive Director/Advocacy, Kansas Association of School Boards, spoke to Committee members in opposition of **HB 2227**. Mr. Tallman told Committee members that **HB 2227** would establish a private school voucher program for students with autism. KASB believes that if a school receives public funding, it must serve all students without any preconditions or eligibility requirements, as public schools do; it must be governed by the same rules and regulations that the Legislature, the Kansas State Board of Education, and the federal government has established for all other public-funded schools; and it must be accountable to the public and taxpayers through the locally elected school board. (Attachment 6)

A question and answer session followed the presentations.

Chairman Aurand closed the hearing on **HB 2227**.

HB 2184 - Schools; Abstinence Plus (A+) Education Act.

Sharon Wenger, Principal Analyst, Kansas Legislative Research Department, gave an overview of **HB 2184** to Committee members.

Missy Taylor, Kansas Families for Education, spoke to Committee members as a proponent of **HB 2184**. Ms. Taylor stated that students in Kansas can only benefit by having the necessary knowledge provided by a trained professional. Ms. Taylor advised their organization supports the bill's provision that a parent may choose for their student to opt out of any or all portions of their district's human sexuality curriculum. (Attachment 7)

Holly Weatherford, Kansas Public Affairs Manager, Planned Parenthood of Kansas and Mid-Missouri (PPKM) spoke to Committee members as a proponent of **HB 2184**. Ms. Weatherford advised that PPKM is best known for their top-rate reproductive health care services provided to the four health centers in Kansas. PPKM also offers a wide range of education programs designed to bring sexual health information directly to young people, adults who work with them and parents and encouraged Committee members to support **HB 2184**. (Attachment 8)

Hannah Kapp-Klote, Free State High School student, spoke to Committee members as a proponent of **HB 2184**. (Attachment 9)

Pamela Crandall, Metropolitan Coalition for Responsible Sex Education, spoke to Committee members as a proponent of **HB 2184**. Ms. Crandall stated teenage pregnancies are often the focal point of the discussions surrounding sex education. However, there is an even more urgent health issue that needs to be addressed. Sexually transmitted infections are steadily increasing in the United States and in Kansas. Ms. Crandall advised that abstinence should be the cornerstone of any sex education program. But teaching abstinence without providing medically accurate, research based information regarding sexually transmitted infections, including how to reduce the risk of contacting or spreading these infections, puts the health of these youth at risk. (Attachment 10)

Kari Ann Rinker, National Organization for Women, spoke to Committee members as a proponent of **HB 2184**. Ms. Rinker told Committee members that Abstinence + is a comprehensive human sexuality education program. The program will teach up to date information about abstinence, STD's, AIDS, and pregnancy prevention. Certified teachers who will have the most accurate information about

CONTINUATION SHEET

Minutes of the House Education Committee at 9:00 a.m. on February 11, 2009, in Room 711 of the Docking State Office Building.

sexuality education will teach it. And it will be medically accurate, age appropriate, and serve as an additional tool for parents. (Attachment 11)

Thomas Witt, Kansas Equality Coalition, spoke to Committee members as a proponent of **HB 2184**. Mr. Witt told Committee members that as parents, policymakers, educators, we don't want our teenagers to be sexually active outside a long term, committed relationship. But we have to understand: kids are kids and they have to be taught. Mr. Witt told Committee members that if we don't teach them how to protect themselves from the negative consequences of sex, we only increase their risk of serious illness and unplanned pregnancies. (Attachment 12)

Barbara Holzmark, concerned volunteer and Kansas Public Affairs Chair of the National Council of Jewish Women, Greater Kansas City Section, gave written testimony as a proponent of **HB 2184**. (Attachment 13)

Erin Doughty, President, K-State Students for Choice, gave written testimony as a proponent of **HB 2184**. (Attachment 14)

Val DeFever, Schools for Quality Education, spoke to Committee members in opposition of **HB 2184**. Ms. DeFever told Committee members the small rural Kansas school districts that she represents believe strongly in local control. Ms. DeFever advised they have involved their patrons in developing a plan to carry out the state requirement of providing a comprehensive education program in human sexuality. Ms. DeFever advised this bill would seem to depart from policy on curriculum requirements. (Attachment 15)

Mark Tallman, Assistant Executive Director/Advocacy, Kansas Association of School Boards, spoke to Committee members in opposition of **HB 2184**. Mr. Tallman stated their organization is opposed to this matter not because of the contents of the bill but because they firmly believe this kind of curriculum matter should be determined by local schools, their staff, parents, and community leaders. (Attachment 16)

A question and answer session followed the presentations.

Chairman Aurand closed the hearing on **HB 2184**.

Chairman Aurand advised Committee members that the Committee would be working the following bills at the next meeting:

HB 2001 - School districts; number of pupils in USD No. 409, Atchison.

HB 2002 - School finance; military children, determination of enrollment.

HB 2102 - School districts; pupil attending schools outside district of residence; transportation.

HB 2103 - School districts; low enrollment weighting; districts with less than 200 pupils.

Chairman Aurand asked Committee members for discussion of **HB 2105** as to whether to work the bill. Committee members responded by a majority vote to not work the bill at this time.

Chairman Aurand told Committee members that a sub-committee would be formed for **HB 2199** (dyslexia).

The meeting was adjourned at 10:45 a.m. The next meeting is scheduled for February 12, 2009.