

## **MINUTES**

### **LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE**

November 16-17, 2006  
Room 123-S—Statehouse

#### **Members Present**

Representative Kathe Decker, Chairperson  
Senator Jean Kurtis Schodorf, Vice-Chairperson  
Senator Marci Francisco  
Senator Ruth Teichman  
Senator Roger Pine  
Senator Mark Taddiken (November 16)  
Senator John Vratil  
Representative Barbara Ballard (November 16)  
Representative John Faber  
Representative Deena Horst  
Representative Steve Huebert  
Representative Eber Phelps  
Representative Jo Ann Pottorff

#### **Staff Present**

Carolyn Rampey, Kansas Legislative Research Department  
Sharon Wenger, Kansas Legislative Research Department  
Michele Alishahi, Kansas Legislative Research Department  
Audrey Dunkel, Kansas Legislative Research Department  
Theresa Kiernan, Office of the Revisor of Statutes  
Art Griggs, Office of the Revisor of Statutes

#### **State Department of Education Staff**

Dale Dennis, Deputy Commissioner

#### **Conferees**

Dr. Tom Foster, Deputy Commissioner, Division of Learning Services, Kansas State Department of Education  
Kenneth A. Clouse, President, Northwest Kansas Technical College  
Clark Coco, President, North Central Kansas Technical College  
Dr. Robert Edleston, President, Manhattan Area Technical College

Richard Hoffman, Director, Kaw Area Technical School; Chair, Kansas Association of Technical Schools and Colleges  
Dr. Larry Englebrick, Deputy Commissioner, Division of School Innovation, Kansas State Department of Education  
Scott Brunner, Chief Financial Officer, Kansas Health Policy Authority  
Reginald Robinson, President and Chief Executive Officer, Kansas Board of Regents  
Dr. Glen Cox, Vice-Dean of the Kansas University School of Medicine and Senior Associate Dean for Education and Academic Affairs  
Dr. Elizabeth Davis, Assistant Professor, Clinical Sciences and Equine Section Head, College of Veterinary Medicine, Kansas State University  
Susan Helbert, Assistant Director, Teacher Education and Licensure, Kansas State Department of Education  
Dr. Socorro Herrera, Professor of Elementary Education and Director of the Collaborative Intercultural Multilingual Advocacy Center, College of Education, Kansas State University  
Dr. Abdelilah Salim Sehlaoui, Associate Professor of Teaching English to Speakers of Other Languages (TESOL) Teacher Education Programs, Department of Modern Languages and Literatures, Emporia State University  
Alan Cunningham, Superintendent, USD 443 (Dodge City)

### **Thursday, November 16**

The Committee approved the minutes of the September and October meetings.

#### **Student Assessments**

The Committee received a report from Dr. Tom Foster, State Department of Education, on the most recent student assessments, including a review of the process by which the assessment instrument is developed ([Attachment 1](#)). The assessments, developed in Kansas for Kansas students, are intended to provide information on individual students, classes, schools, districts, and subgroups and are the basis for measuring student achievement under the No Child Left Behind Act.

Dr. Foster explained that school districts that meet or exceed their annual goal of student progress in reading and mathematics are considered to have met "Adequate Yearly Progress" (AYP). Based on preliminary data for school year 2006-07, 264 out of 300 school districts made AYP. School year 2006-07 also was the first year of full testing for all of the grades required by the No Child Left Behind Act. In addition, fewer exceptions were allowed for participation. It should be noted that, under the Act, if one subgroup fails to meet AYP, the entire school fails to meet AYP. Dr. Foster told the Committee that the State Department of Education itself also underwent staffing changes, developed new tests, and changed how the test results were reported to schools.

There is a series of sanctions under the No Child Left Behind Act for schools and districts that fail to attain AYP, ranging from the opportunity for parents to choose another school for their children to a restructuring plan imposed by the state. Based on preliminary 2006-07 data for Title I schools, there are 26 schools and 11 districts identified for improvement. Of the schools, 11 are on the list because of mathematics, 11 for reading, and three for both mathematics and reading. Twelve schools are on the list for the first time. These schools and districts must make AYP for two consecutive years to be removed from the list.

Dr. Foster said that, in general, student achievement continues to rise in Kansas and more than 1,200 of the 1,414 public schools made AYP in the 2005-06 school year. These schools meeting AYP represent 85 percent of the schools in the state and have met AYP even though the targets have increased incrementally since 2000 when Kansas started testing students under the No Child Left Behind Act. Nationwide, based on data reported in September 2006, the national average for schools making AYP was 71 percent.

## **2006 SB 596**

The staff reviewed the provisions of 2006 SB 596, introduced by Senator Vratil (Attachments 2, 3, and 4). The Legislative Coordinating Council charged the Committee with a review of 2006 SB 596 which dealt with state educational performance standards for students and also directed the Committee to study the consequences of receiving federal education funds if the state educational performance standards were to be modified.

SB 596 would prohibit a public agency, defined to include the State of Kansas, any department, agency, board, or school district, from spending public money to adopt, implement, or enforce school accreditation guidelines or standards which establish or are based upon a *requirement* of student performance or student proficiency. However, the bill would not prohibit the State Board of Education from establishing school accreditation standards which establish or are based upon improvement in student performance or student proficiency *goals*. The impact of the bill would be to prohibit the State Board of Education from adopting accreditation guidelines or standards which require Kansas students to attain the performance and proficiency standards of the No Child Left Behind Act. However, nothing would prevent the State Board from setting those standards as desirable goals for Kansas students to meet. Failure of a school to attain the State Board's goals would not jeopardize the school's accreditation.

Based on information provided by the State Department of Education, federal funding under the No Child Left Behind Act is expected to total \$174.7 million in FY 2007, which is only a slight increase (\$3.2 million) over FY 2006. The rough rule of thumb for the amount of money a state would lose if it failed to comply with the Act is 2.5 times the state's Title I funding. In Kansas, that amount would be \$250.0 million. According to the National Conference of State Legislatures (NCSL), no one really knows what the federal government would do if a state tried to "pull out" of the No Child Left Behind Act. To date, Utah is the only state that seriously has considered the action and, according to NCSL, the federal government made considerable efforts to keep Utah from withdrawing.

Representative Huebert asked the Committee to consider recommending that legislation patterned after SB 596 be prefiled with amendments proposed in his bill, 2006 HB 2682. A major provision of his bill is that programs created with or expanded by federal funds may be reduced or eliminated if the federal funds are reduced or eliminated.

## **Technical Education**

The staff reported on the activities of the Kansas Technical College and Vocational School Commission created by the 2006 Legislature in a proviso to an appropriations bill (Attachments 5, 6, 7, and 8). The Commission is comprised of eight voting members appointed by the Governor and legislative leadership who are representative of business, industry, and technical education institutions. The President of the Kansas Board of Regents is an *ex officio* member. The Commission's charge is to study the governance, funding, and mission of Kansas technical colleges

and vocational education schools. The Commission must submit a report of its activities and recommendations by January 1, 2007.

Ken Clouse, President of Northwest Kansas Technical College in Goodland, discussed the affordable cost of technical education, high placement rates for graduates, and the contribution graduates make to area economic growth ([Attachment 9](#)). However, he said parents and school counselors often fail to direct students toward a technical education, preferring instead to direct them to baccalaureate degree programs.

Clark Coco, President of North Central Kansas Technical College in Beloit, told the Committee that many at-risk students would flourish at a technical college.

Dr. Robert Edleston, President of the Manhattan Area Technical College, distinguished between “capacity” and “capability” and said the technical education institutions are capable of preparing more individuals to enter the workforce at higher levels of skill, but are prevented from doing so because of limited resources ([Attachment 10](#)). He also expressed concern about “mission creep”—the blurring of the single purpose of technical institutions to prepare people to enter the workforce that might occur if technical colleges and schools were to merge with community colleges or four-year institutions whose charges include academic education.

Richard Hoffman, Director of the Kaw Area Technical School in Topeka and Chair of the Kansas Association of Technical Schools and Colleges, told the Committee that students at technical institutions can move through programs quickly and, once in the workforce, begin to contribute to the area economy. He said the Kansas Association of Technical Schools and Colleges supports the creation of a statewide technical college system or consortia made up of representatives of the technical institutions.

During discussion with Committee members, representatives of the Association said that their recommendation for a statewide technical college system was not in a final form and could not be discussed in detail. However, they said that the proposed system would speak with one voice for technical education. In response to a question about how much money technical institution representatives believe the Legislature ought to put into technical education, Mr. Clouse responded by saying that the State of Georgia, which has three times the population of Kansas, funds its highly-rated technology system at the \$300.0 million level. If Kansas, which funds postsecondary aid at approximately \$34.0 million, were to fund its system proportionately to Georgia, total funding would be approximately \$100.0 million.

## **Charter Schools**

Dr. Larry Englebrick, Deputy Commissioner, State Department of Education, made a report to the Committee on charter schools ([Attachment 11](#)). Charter schools in Kansas are under the jurisdiction of local boards of education which are responsible for allocating staff and funding for the schools. A petition to begin a charter school may be submitted to a local board by any entity, including the district itself, a school, a school district employees group, or an educational services contractor. A petition to establish or continue a charter school must describe the educational program of the school; program goals and measurable pupil outcomes; an explanation of how pupil performance in achieving specified outcomes will be measured, evaluated, and reported; and the governance structure of the school, including the means of ensuring accountability to the local board. Petitions to establish or continue charter schools must be approved by both the local board and the State Board of Education.

Currently, there are 28 charter schools in 24 school districts. The State Board of Education approved three new charter schools for the 2006-07 school year and two schools were discontinued. Of the schools, 56 percent are high schools, 21 percent are elementary and secondary through the 12<sup>th</sup> grade, 17 percent are elementary and secondary through the eighth or ninth grade, and 4 percent are elementary only. Kansas recently received a federal charter school grant which will provide \$10.0 million over a three-year period, of which \$9.4 million will be for grants to schools and the remainder will be for administrative and indirect costs.

Some charter schools discontinue their status, often reverting to regular attendance centers within the district. This can happen for a variety of reasons but often is correlated with the availability of federal funding to either establish or maintain charter schools. If the federal funding is not available, the charter school may close.

### **Medicaid Reimbursement to School Districts**

Scott Brunner, Chief Financial Officer of the Kansas Health Policy Authority, resumed a discussion with the Committee about Medicaid reimbursement to school districts for medical expenses for special education students which had begun at the last meeting. Mr. Brunner gave the Committee a letter (Attachment 12) to Senator Vratil from the Authority addressing the Committee's concern that an audit by the Office of Inspector General identified a discrepancy between the Kansas state plan for Medicaid and the federal requirement that a physician must prescribe occupational, speech, and physical therapy services for children in order for schools to be eligible for Medicaid reimbursement. Senator Vratil said he was satisfied with the Authority's response.

### **Instructions to Staff for Bill Drafts and Final Report**

The Committee began giving staff instructions for bill drafts and the final report on November 16 and concluded November 17. The Committee's recommendations are found at the end of the minutes for November 17. Included in the discussion was a staff review of 2006 HB 2864, which would establish the Chester I. Lewis Scholarship Program for ethnic minority law students who are Kansas residents (Attachment 13). The bill was not reported out of the House Higher Education Committee.

**Friday, November 17**

### **Kansas Board of Regents Legislative Requests**

Reginald Robinson, President and Chief Executive Officer of the Kansas Board of Regents, presented the following Kansas Board of Regents legislative requests for the 2007 Session (Attachment 14).

*Teacher Shortage Initiative and Teacher Scholarship Streamlining.* The Board proposes two initiatives. The first would be to combine four existing teacher education scholarships into the new "Comprehensive Teacher Scholarship Program" and to double the amount of money appropriated for the programs combined. The existing programs are the Teacher Service Scholarship Program (one year for each year of scholarship service obligation in a hard-to fill discipline or underserved

geographic area); the Kansas Math and Science Teacher Service Scholarship (two years of teaching math or science for each year of scholarship); the Special Education Teacher Scholarship created in 2006 (commitment to teach special education three years or six years part-time); and the Teacher Education Scholarship Program created in 2006 for licensed teachers enrolled in programs leading to Master's degrees or persons with associate degrees enrolled in programs leading to Bachelor's degrees (one-year service obligation for each 15 credit hours of assistance). Funding for these programs currently totals \$962,859 in FY 2007, which the Board proposes be increased to \$2.0 million for FY 2008. According to Mr. Robinson, the Board's proposal to consolidate the programs would make them easier to administer and eliminate confusion among applicants applying for programs that appear very similar. Additional funding for scholarships would make it possible for the Board to award more scholarships.

The second initiative would not require legislation but would require the appropriation of \$2,750,000 from the State General Fund for grants to state universities on a dollar-for-dollar matching basis for projects that would benefit teachers and teacher preparation. Examples include summer institutes for high school teachers and programs to enhance the supply of elementary school teachers.

*Benefits Enhancement for University Support Staff and Classified Staff.* The 2005 Legislature enacted legislation authorizing a state university to convert its classified staff to University Support Staff (USS), which allows more flexibility in terms of job classifications, salary levels, and salary increases. (Only the University of Kansas has made the conversion.) The 2006 Legislature enacted legislation to allow the state universities to raise annual leave and discretionary leave for classified staff up to the level offered to unclassified personnel. According to staff for the Board of Regents, the two provisions are in conflict in that the authorization to convert staff to USS does not include the authorization to raise annual leave and discretionary leave for classified staff up to the level offered to unclassified personnel. The Board requests legislation to reconcile the conflict so that state universities could do both: convert staff to USS and raise annual leave and discretionary leave for classified staff to the level offered to unclassified personnel.

*Nurse Educator Scholarship Program.* The 2006 Legislature created the Nurse Educator Scholarship Program by proviso in an appropriations bill and appropriated \$200,000 for scholarships, to be matched with \$100,000, for the purpose of preparing nurses with master's degrees or doctoral degrees in nursing. The scholarships are intended to help address the nursing shortage by preparing nurses to become nurse educators to train new nurses. Because the program was created in an appropriations bill, it will expire on June 30, 2007. The Board requests that the program be created statutorily so that it will not terminate at the end of the current fiscal year.

*Capital Improvements Exemption Law Amendments.* Currently, individuals often donate property to state universities in their wills. The universities manage the land to generate income for the intended philanthropic purposes as defined by the individual donating the property, but the universities' endowment associations are better structured and have more expertise than universities to perform the function. If a state university wants to transfer property to its endowment association, it presently is necessary for the university to get legislative approval on a case-by-case basis. The Board of Regents is requesting an amendment to current law which would allow it or the state universities to transfer title of willed property to an endowment association without having to get approval from the Legislature for each transaction.

*Amendments to the Medical Student Loan Program.* The \$1,500 monthly stipend for medical students who participate in the Medical Student Loan Program has not been increased since 1992. The Board of Regents is requesting that the stipend be increased to \$2,000 per month. In addition, the Board is requesting that medical students who do not select primary care as their area of

specialization until their third or fourth year of medical school be eligible to participate in the program and that they be retroactively paid the full stipend and refunded their previously-paid tuition. Upper class medical students who enter the program and receive full stipends retroactively would be subject to the same service obligations as all other medical students who participate in the program.

*Transfer of Property to Endowment Associations.* Currently, individuals often donate property to state universities in their wills. The universities manage the land to generate income for the intended philanthropic purposes as defined by the individual donating the property, but the universities' endowment associations are better structured and have more expertise to manage bequests than are the universities. If a state university wants to transfer property to its endowment association, it presently is necessary for the university to get legislative approval on a case-by-case basis. The Board of Regents is requesting an amendment to current law which would allow it or the state universities to transfer title of willed property to an endowment association without having to get approval from the Legislature for each transaction.

## **Overview of Postsecondary Education**

As part of its charge to monitor the implementation of the Higher Education Coordination Act, the Committee received a report from Mr. Robinson on the condition of postsecondary education (Attachment 15). Central to the report was the concern that state funding for postsecondary education, including facilities, has declined. For example, in 1985 state aid totaled 51 percent of state university operating budgets and tuition and other revenues totaled 49 percent. The projection is that, unless state aid increases as a proportion of the total, by the year 2010 state aid will amount to only 24 percent of university operating budgets, with student tuition and other revenues making up 76 percent. On a per-student basis, state support for a full-time equivalent (FTE) student in 1985 was \$7,354 compared to \$5,719 in 2005.

Most alarming is the condition of campus facilities. The buildings that are on the six state university campuses represent two out of every three buildings that the State of Kansas owns. Because of a lack of state resources dedicated to campus facilities, the Regents report a deferred maintenance backlog that totals \$727.0 million. Limited funding for building and maintenance is exacerbated by the fact that approximately 80 percent of the buildings are at least 20 years old. Deferred maintenance needs range from more than \$200.0 million at both the University of Kansas and Kansas State University to under \$100.0 million at each of the remaining campuses. The Regents estimate that \$84.0 million will be needed each year to adequately maintain university campuses and note that only \$15.0 million is available in FY 2007 and that the Educational Building Fund (EBF), which was established in 1941 and is the primary revenue source for university maintenance, was raised to 1.0 mill in 1955 and has not been increased since.

In the current fiscal year, state support of \$15.0 million from the EBF will permit only 18 percent of the goal of \$84.0 million annual facilities maintenance to be reached. For FY 2008, the Regents estimate the same amount of state support (\$15.0 million) and intend to dedicate \$8.5 million in tuition revenues to facilities needs, leaving \$60.5 million (72 percent) of the \$84.0 million maintenance goal unfunded. Paradoxically, the "Crumbling Classrooms" initiative in 1996 which dedicated significant resources to building maintenance on the university campuses has had the impact of reducing funding available for maintenance because the initiative allowed the Board of Regents to borrow money from the EBF and pay it back on an ongoing basis until the year 2012. Thus, money that might have been used for maintenance is being used to retire the Crumbling Classrooms debt.

To address its maintenance needs, the Board proposed a plan to the 2006 Legislature that included a temporary increase in the state sales tax, a bond issue, an increase in the statewide EBF mill levy, and new campuses administrative practices that would alleviate future maintenance obligations. None of the proposals that would have required legislative action was adopted.

### **Service Scholarships Administered by the University of Kansas Medical Center and the Kansas State University Veterinary Medical Center**

As part of its charge to review service scholarships administered by the University of Kansas Medical Center and the Kansas State University Veterinary Medical Center, the Committee heard from representatives of both institutions.

Dr. Glen Cox, Vice-Dean of the Kansas University School of Medicine and Senior Associate Dean for Education and Academic Affairs, told the Committee that the Kansas Medical Student Loan Program began in the late 1970s and is intended to provide incentives for physicians to practice in underserved areas ([Attachment 16](#)). Preference is given to students from rural Kansas counties who have financial need. The students receive tuition reimbursement and a \$1,500 monthly stipend. Students must complete their medical degree, enter and complete a primary care residency, and practice in an underserved area of Kansas one year for each year they received a scholarship. ("Primary care residency" means general pediatrics, general internal medicine, family medicine, or emergency medicine.)

According to Dr. Cox, since the beginning of the program, more than 1,200 medical students have received assistance under the programs. Data since 1992 when the program was restructured indicate that 438 students with obligations under the program have graduated. Of these graduates, 178 (40.6 percent) have fulfilled their obligations, 145 (33.1 percent) have had their obligations deferred (usually to allow them to complete their residencies in preparation for practice), 84 (19.2 percent) are currently practicing in compliance with the terms of the program but have not completed their obligations, and 31 (7.1 percent) are practicing out of compliance with the terms of their agreements and are repaying their loans. Of the 178 physicians who have no remaining obligations, 109 (61.2 percent) fulfilled their obligations through service in underserved areas.

The Veterinary Training Program for Rural Kansas was established by the 2006 Legislature as an incentive for persons pursuing a veterinary medicine degree program at Kansas State University (KSU) to locate their practices in rural Kansas communities and to receive specialized training to meet the needs of livestock producers. Dr. Elizabeth Davis, College of Veterinary Medicine at Kansas State University, told the Committee that preference is given to those students who are Kansas residents and who agree to serve in specified counties ([Attachment 17](#)). Subject to appropriations, the College is authorized to enter into agreements with up to five first-year veterinary students per year for a loan in the amount of \$20,000 per year for not more than four years for tuition, books, supplies, and other school expenses; and travel and training expenses incurred by the student. The program requires the persons receiving the loans to complete the veterinary medicine degree program at the College; complete all advanced training in public health, livestock biosecurity, foreign animal disease diagnosis, and other requirements outlined in the statutes; and engage in the full-time practice of veterinary medicine in any county in Kansas which has a population not exceeding 35,000 for a period of one year for each year of assistance provided.

Dr. Davis said that, at the present time, the College is in the process of selecting the five students who will be the first recipients of loans under the new program.



## **Teacher Education Program Preparation for Work with English Language Learners**

Because of its concern that Kansas needs teachers who will be qualified to teach the increasing number of students who do not speak English or who do not speak English well, the Committee asked the State Department of Education and representatives of two teacher education institutions to discuss what they are doing to prepare teachers for the task.

Susan Helbert, Assistant Director of Teacher Education and Licensure, State Department of Education, told the Committee that professional standards set by the State Board of Education, which approves teacher education programs, require all initial teacher preparation programs to address diverse learners, including students whose first language is not English ([Attachment 18](#)). Therefore, all new teachers have a baseline knowledge of skills in dealing with English Language Learners.

A more intensive program is the licensure endorsement for working with English Language Learners titled “English for Speakers of Other Languages” (ESOL). This is an add-on endorsement for individuals who already hold a teaching license and generally requires 15 to 18 semester hours of coursework. Nine teacher education institutions offer approved ESOL programs. Some ESOL teachers continue to teach in their content area to classes that contain both English speaking and English Language Learner students; some are resource teachers who work with English Language Learners in pullout situations or as support to regular teachers; and others have classes that are composed entirely of English Language Learners.

Dr. Socorro Herrera, Kansas State University, described the program which began at Kansas State University in 1996 and is intended to prepare teachers to teach students for whom English is a second language ([Attachment 19](#)). She presented information about the program’s success, which has served as a model in other states. In response to a question from Committee members about whether skills in dealing with English Language Learners could be embedded in the teacher preparation for all teachers, Dr. Herrera responded that preparing teachers for English Language Learners is a separate program with its own methodology and cannot be grafted onto other programs without greatly increasing the time it would take for teachers to complete their preparation.

Dr. Abdelilah Salim Sehlaoui, Emporia State University, presented information about the TESOL (Teaching English to Speakers of Other Languages) at Emporia State University ([Attachment 20](#)). According to Dr. Sehlaoui, in 1994 there were fewer than 2,000 English Language Learners in elementary and secondary school, compared to 25,000 ten years later. In some school districts well more than half of the students are English Language Learners and it is estimated that by 2025 half of all elementary and secondary students will be minorities.

Committee members asked Dr. Sehlaoui to respond to the question about whether teaching English Language Learner skills could be embedded in existing teacher education programs and Dr. Sehlaoui agreed with the previous conferee that teaching English to students who do not speak English well or at all is a separate teacher preparation area and not a set of skills or strategies that easily can be taught to teachers whose endorsements are in other teaching areas.

Alan R. Cunningham, Superintendent of USD 443 (Dodge City), told the Committee that almost 70 percent of the students in the Dodge City district are Hispanic, of which 41 percent are English Language Learners ([Attachment 21](#)). He said that an ESOL endorsement is so important in his district that the district pays a teacher seeking endorsement for the required coursework and materials.

## **Further Information on Medicaid Reimbursement to School Districts**

Scott Brunner, Chief Financial Officer for the Kansas Health Policy Authority, met with the Committee again to respond to the Committee's questions about an administrative fee that SRS charged when it administered the school district Medicaid reimbursement program, which now is charged by the Health Policy Authority. Mr. Brunner explained that the fee assessed by the Authority includes payments to the contractor used to calculate the bundled rates and to determine the amount of administrative costs claimed by the districts. The fee also is intended to help offset the cost to the state of processing the payment. However, he said he is not sure the fee is necessary and will begin discussions within the Authority to see if it is possible that the fee could be reduced or eliminated (Attachment 22).

Having been told that it is possible that the administrative fee charged school districts by the Authority could be reduced or eliminated, the Committee raised questions about whether other fees charged by SRS to administer other Medicaid programs are necessary.

## **Instructions to Staff for Bill Drafts and the Final Report**

The material below summarizes the Committee's instructions to staff for bill drafts and the final report. Only those items for which there will be a specific comment or recommendation are listed. In all other cases, the report will describe the material the Committee reviewed during the 2006 Interim.

### Services for Autistic Children

- Encourage the Legislature to consider the creation of a task force to focus on services for individuals with autism from early childhood to adulthood. The charge to the task force should include the provision of early intervention services and the need for transition services to adulthood. In addition, the task force should consider expanded funding for services including insurance coverage, and the creation of an autism registry.
- SRS should be encouraged to pursue its proposal to seek a Medicaid waiver to allow services for children to be provided without regard to parental income and to waive certain requirements in order to provide more services.

### School District Audit Report on School District Personnel Shortages

- Express the Committee's concern about the need for better teacher recruitment and retention.

### Development and Implementation of Kansas Early Learning Guidelines

- Express the Committee's satisfaction that progress has been made and commend the agencies involved.

### Interlocal Agreement Proposal in Doniphan County

- Explain that Representative Henry and others will propose legislation during the 2007 Session.

#### Kansas Blue Ribbon Schools

- Commend and applaud schools for their achievements.

#### Medicaid Payments fo School Districts

- Note the response by the Kansas Health Policy Authority and say the Committee is satisfied with the response and will monitor the situation further. Say that the Committee expects to monitor how audit problems are resolved and will ask the Health Policy Authority to report to the Committee during the 2007 Interim.
- Explain in the report how the administrative fee is used and ask the Authority to review the need to continue the fee and ask it to report back to the Committee.
- Ask SRS to report to the Committee as to why it is charging a fee for administering Medicaid funds to Community Developmental Disability Organizations and other organizations and whether such fees can be reduced or eliminated. Also, direct the Committee Chairperson to write a letter to the respective chairs of the appropriate standing committees informing them of the Committee's concern and action regarding SRS Medicaid administrative fees.

#### SB 596

- Recommend that legislation be prefiled based on SB 596 and incorporate, as appropriate, provisions of legislation introduced during the 2006 Session by Representative Huebert (HB 2682). A major provision of Representative Huebert's bill is that a program begun or expanded with federal funding could be eliminated or reduced if the federal funding is eliminated or reduced.

#### Recommendations of the At-Risk Council

- Say that the Committee generally endorses the recommendations of the At-Risk Council. Say that it agrees with the 2010 Commission's recommendation that legislation be introduced to implement a linear transition calculation and say that the Committee also hopes legislation is introduced to delete the termination date of the non-proficient at-risk weighting.

#### Budget Preparation Time Line

- Recommend that the Legislature always make a three-year appropriation for school finance and special education.

#### Technical Education

- Recommend that the Legislature should look at the governance proposals presented by the Board of Regents, the Kansas Association of Technical Schools and Colleges, the Kansas Technical College and Vocational School Commission, and any other recommendations. Explain

that the Committee does not endorse any particular proposal at this time, but say that matters relating to technical education governance, mission, and funding are important issues with which the Legislature should deal.

- Recommend the addition of \$34.0 million in FY 2008 and another \$34.0 million in FY 2009 to the current base of \$34.0 million, for total funding of \$102.0 million by FY 2009. This amount is based on funding for technical education in Georgia. Explain that the Committee's recommendation is a gesture intended to call attention to the need for Kansas to dramatically increase its funding for technical education so that it can rank among the states recognized for technical education.
- Recommend that legislation be prefiled to extend the Kansas Technical College and Vocational School Commission for two more years and require that it make annual reports to the Committee.

#### Chester I. Lewis Service Scholarship Program

- Say that the Committee was briefed on the bill that would have created the program.

#### Student Assessments

- Encourage the State Department of Education to report student assessment information to school districts earlier in the fall, but explain the reasons why information was late this year, such as there were new assessments, a new data base, and new staff in the State Department of Education.

#### Charter Schools

- Commend the charter schools that exist and encourage the creation of more so that they may serve as models for innovative school practices.

#### English Language Learners

- Note that by year 2025, half of Kansas K-12 students will be minority and most will be English Language Learners. Note the teacher shortage and encourage teacher education institutions to prepare beginning teachers to be teachers of English Language Learners upon graduation. Direct the Chairperson of the Committee to write a letter to the Board of Regents suggesting that it look at others ways to address the issue, including restructuring teacher education programs.
- Recommend that legislation be prefiled to create an English for Speakers of Other Languages Commission comprised of nine members whose charge would include working with teacher education programs on ways to incorporate teaching English to speakers of other languages into teacher preparation for all teachers. The Commission would be required to make annual reports to the Committee and would terminate in two years.

#### Legislative Initiatives of the Kansas Board of Regents

- Recommend legislation to implement the teacher shortage initiative and teacher scholarship streamlining, as requested.
- Recommend legislation to implement the request for benefits enhancement for university support staff and classified staff, as requested.
- Recommend legislation to make the Nurse Educator Scholarship Program statutory, as requested.
- Recommend legislation to allow the transfer of devised property to endowment associations and make it applicable to all Regents universities.
- Recommend legislation to amend the capital improvements exemption law, as requested.
- Recommend legislation to increase the monthly Medical Student Loan Program stipend from \$1,500 to \$2,000 and to allow unused positions to be extended to upper class members, as requested. In addition, add an escalator (the CPI-U) so that there would be an inflationary increase in the stipend cap.

#### Regents Overview

- Describe the information presented and call particular attention to the Regents deferred maintenance needs. In describing the overview, make the following points:
  - The cost per full-time student has not kept up with inflation.
  - The Crumbling Classroom initiative has actually made the problem worse because funding that would be used for current capital improvements needs is committed to paying off the Crumbling Classrooms debt which will not be retired until 2012.
  - Ask the Joint Committee on State Building Construction, the Senate Ways and Means Committee, and the House Appropriations Committee to address the matter of deferred maintenance and point out that two out of three state buildings are on state university campuses.
  - Note that the deferred maintenance backlog has increased by \$140.0 million in the last two years.
  - Call attention to the fact that some deferred maintenance needs involve safety issues or handicapped accessibility.
  - Say that perhaps the Legislature could consider a multi-year plan to address deferred maintenance needs.
  - Stress that any plan to address deferred maintenance also should include an evaluation of whether the facilities are worth maintaining or whether it would be more cost effective to raze them.

#### **Bill Drafts and a Draft of the Report**

Copies of drafts of bills to be prefiled and a draft of the Committee report will be mailed to Committee members for their review.

The meeting was adjourned.

Prepared by Carolyn Rampey

Approved by Committee on:

December 3, 2006

(date)