

Approved: 3-8-93
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Vice Chairperson Cindy Empson at 3:30 p.m. on FEBRUARY 24, 1993 in Room 519-S of the Capitol.

All members were present except: Representative Lowther (absent)

Committee staff present: Ben Barrett, Legislative Research Department
Dale Dennis, Deputy Commissioner, Department of Education
Avis Swartzman, Revisor of Statutes
Joyce Harralson, Committee Secretary

Conferees appearing before the committee: Representative Wagnon
Representative Chronister
Shirley Norris, Ks. Assoc. for the Ed. of Young Children
Josie Torrez, Parent
Mark Tallman, Ks. Assoc. of School Boards
Craig Grant, Ks. Nat'l. Education Assoc.
Laura Kelly, Ks. Parks and Recreation
Robin Nichols, Wichita Public Schools
Gerry Henderson, United School Administrators
Janet Schalansky, Employee Preparation Services
Jolene Grabill, Corporation for Change
Chris Ross-Baze, Child Care Licensing & Regulations
Christine Harder, Child Care Provider
John Koepke, Ks. Assoc. of School Boards

Others attending: See attached list

Written Testimony was handed out to committee members regarding HB 2036, a bill dealing with school districts providing day care, from the following individuals:

Sherry Clayton, Parent (Attachment #1)
Tamara Runnebaum-Copeland (Attachment #2)
Lynda Hadley, Day Care Provider (Attachment #3)
Craig Grant, Ks. National Education Assoc. (Attachment #4)
Gerry Henderson, United School Administrators (Attachment #5)

Representative Rochelle Chronister (Attachment #6) and Representative Joan Wagnon addressed the committee as sponsors of HB 2036 to provide explanation of the bill.

The following individuals addressed the committee favorably regarding HB 2036:

Shirley Norris (Attachment #7)
Josie Torrez (Attachment #8)
Mark Tallman (Attachment #9)
Laura Kelly (Attachment #10)
Robin Nichols (Attachment #11)
Janet Schalansky (Attachment #12)
Jolene Grabill (Attachment #13)
Chris Ross-Baze (Attachment #14)

The following individuals addressed the committee unfavorably regarding HB 2036:

Christine Harder (Attachment #15)

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION, Room 519-S Statehouse, at 3:30 p.m. on February 24, 1993.

Penny Johnson stated that she felt this bill would open up the schools to excessive involvement by SRS in family affairs.

Representative Jennison addressed the committee as sponsor of HB 2303 to provide explanation of the bill. (Attachment #16).

John Koepke addressed the committee unfavorably regarding HB 2303 (Attachment #17).

The meeting adjourned at 5:08pm.

The next meeting is scheduled for Thursday, February 25, 1993, in Room 519-S.

GUEST LIST

COMMITTEE:

House Education

DATE:

2-24-95

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Christine Ross-Baze	KDHE	KDHE
Brandi Hubener	KDHE	KDHE
Dodie Lacey	Topeka	KCS
P. J. Dorland	KDHE	KDHE
Jane Kreitzer	Topeka	KU, SW Student
Patricia Morgan	Topeka	WU SW Student
Craig Grant	Topeka	KWEA
John Koepke	Topeka	KATR
Penny Sue Johnson	CP, IL	Shells Coalition Inc
LAURA KELLY	TOPEKA	KS Rec - Park & Rec
Mark Tallman	Topeka	KATR
Nancy E. Jones	Topeka	YMCA @ Topeka
GERALD HENDERSON	TOPEKA	USA of KS
Connie Haeussel	Topeka	SLBS of KS
Jacquie Dales	"	SDF
Mary Ellen Limon	Topeka	KB, of Women Voters
Robin Nichols	Wichita	Wichita Public Schools
Jane Schalsensky	Topeka	SRS
Diana Little	Topeka	Home Day Care Provider
Christine Harder	Shawnee	Home Day Care Provider

February 24, 1993

WRITTEN TESTIMONY REGARDING HOUSE BILL 2036

Representative Duane A. Goossen
Education Committee Chairperson
State Capitol
Topeka, Kansas

Dear Representative Goossen,

I am sorry that I am unable to attend today's meeting on House Bill 2036, but I wanted to be sure and offer my input on pertinent issues of this bill. I am a single parent with a son in Kindergarten at Randolph Elementary School in Unified School District 501 in Topeka. I am also a full-time social work student at the University of Kansas. I am the Undergraduate Representative for the Kansas Chapter of the National Association of Social Workers, and I also serve as Professional Action Chair for the association. I am on the Board of Directors of Discovery School and I am a Room Parent at Randolph Elementary.

I feel that the proposal of offering daycare for students before and after school at the school facilities is a very appropriate and needed service for the students who have full-time working parents. This is more the norm in the 1990s and it would seem most appropriate to adapt our school facilities to meet the needs of our children.

I am, personally, in despair as to what arrangements can be made for after-school care, once I am employed full-time. My son's at-home day care provider cannot afford to take on part time children and the transportation problem compounds the situation. I do not want my son to be a "latch-key" child. I feel that the risk for unattended children is too great and is not emotionally healthy for children to be left "home alone." It is too much responsibility for this vulnerable age group.

Agencies in cities could coordinate to offer before and after school programs with a variety of recreational and special interest activities. Tutoring could also be offered when needed. This could be a great opportunity for Kansas children. The safety and future well-being of our children needs to be a priority and I believe that what is outlined in House Bill No. 2036 can help ensure this priority.

I believe that contracting out for services is the most viable solution, rather than having the schools implement the program. What is needed from the schools is use of their facilities during dormant hours. In this way, our tax dollars can be put to more use for our children. A coordination of services can be a great opportunity for our children and for the peace of mind of their parents.

In summary, I want to urge the Education Committee to move favorably on House Bill 2036 so that Kansas children may have an opportunity for more safety, additional learning, and recreational opportunities.

Respectfully,



Sherry Clayton 2714 SW Harland Ct. Topeka, Kansas 66604-2687 913 233-3822

HE
Attachment 1-1
2-24-93

TAMARA RUNNEBAUM-COPELAND
312 Highland
LANSGING, KANSAS 66043
(913) 727-5167

To The Committee In Charge of Bill 2036

My name is Tamara Runnebaum-Copeland and I am typing this letter in great hopes that you will pass the House Bill NO. 2036. This bill is vital to the growth and development of all our children. There are too few options for quality, educational and affordable day care for parents of school-aged children.

I am a registered DAYCARE PROVIDER and I have been in this business for over 7 years and I have seen the desperate need for a special center designed especially for school-aged children that contains a curriculum designed for strictly school-aged children so that these children no longer have to feel second best. The school systems are the perfect solution to this problem because they can offer this type of program to parents of ALL INCOME LEVELS. They can offer a fee based on a sliding income scale and incorporate SRS, how many of us daycare centers and homes can say that. The schools can offer a low cost, quality, safe, and educational environment for our school-aged children that is structured for them.

Any daycare provider who is a true professional should be able to recognize the benefits of this type of program and any daycare provider that truly cares for the overall well being of children should not stand in the way of this BILL 2036. I personally would be willing to loose my school-aged children to a program like this because in my heart I know that it would be in the best interest of the child and thats what really counts.

The average daycare provider earns 80% of their income from children under age 5 so that leaves 20% of their income at risk. Some providers will loose a portion of this 20%, some will not. But, there are enough children out there that need the services of providers and the providers have to be willing to open their doors to toddlers and infants. These are the children who best benefit from our services.

In closing, I only wish I could be here in person to speak to this committee and opposing daycare providers, so that, I could express my views in person, but, I am a dedicated professional and I could not inconvenience 4 parents on such short notice, as I only found out about this BILL 2036 this past week-end, but I sincerely hope you will all listen to what I have to say and for once don't let money be the only factor in this case, for once let our children be put first. One last note. I would be considered to be in the higher end of the lower income bracket or lower end of the middle class income bracket so I am far from being considered to be wealthy so no one can accuse me of not needing my daycare's income because I struggle to stay afloat every day, but I put childrens needs first. I CARE.

Sincerely,

Tamara Runnebaum-Copeland

CALL ME IF YOU WANT ANY MORE OPINIONS

Tamara Runnebaum-Copeland
HE
Attachment 2-1
2-24-93

February 23, 1993

Lynda Hadley
6901 Long
Shawnee, Kansas 66216

Honorable Lisa Benlon
State Capital
State House - Room 175-W
Topeka, KS 66612

SUBJECT: House Bill No. 2036

Dear Ms. Benlon:

I am writing to you in opposition to House Bill No. 2036. I do not feel that enacting legislation authorizing the establishment of school district subsidized day care services at tax supported facilities is in the best interests of either the state or the school districts. My concerns are in three areas: liability, economic fairness, and equitable and non-discriminatory choice of services.

First, by entering into fee sharing or reimbursement agreements with private sector day care providers, whether they be for profit or not, the school districts could be subject to significant liability issues regarding the use of the facilities and the actions of the personnel. Parents paying for the care of their children while at school facilities will assume that the school district supervises and approves the day care providers and their employees. With existing private day care providers, there is no question. However, with school district supported services, who will be responsible for problems with the facilities or personnel?

Second, this bill contemplates a school district providing its facilities and perhaps the services of some of its personnel "at cost" to a selected organization. This empowers a school district to select winners and losers in this business within a geographical area. How will a school district select and enter into an agreement with such a day care organization? Will it be bid out like a road construction contract, or will the school district just pick one at random?

The organization selected by a school district will be allowed the use of facilities built and maintained at taxpayer expense "at cost". A tax supported organization will then be in competition with private day care providers. If the district charges off too little of its fixed costs and expenses against this operation, the district will provide an unfair economic advantage to the selected organization. Too much, and the day care operation will become a source of funding for school finances. Either way, other day care providers within that geographic area will find it difficult to remain in business. They would be in competition with a tax supported organization. I do not wish to be in competition with an

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organization that I must pay to support.

One risk is that the district supported services may be offered at such an economic advantage that other private day care businesses are forced away, leaving the district services as the only choice available. The other risk is that the district, which has access to the children each day by law, becomes the arbiter of where the children are provided day care services. If J C Penney had to go to the Sears store each day to pick up and drop off its customers, how long would it be before Sears had all of Penney's customers? Either way, how long will it be before a district is the only day care provider in the area? After all, the more business a district gets for its selected organization, the more of its "at cost" expenses are covered.

Then who will provide day care services during spring break, summer vacation, and winter break? Will a district hold its facilities open during those periods also?

This brings up the third issue, equitable and nondiscriminatory choice of services. If a district is going to provide facilities and support for a day care organization, what responsibility will the district have to those families who request day care services? Will the district selected organization have to provide services to every family that requests it? If not, what criteria will the organization use to accept or reject children? What options will the school district offer to those parents whose children may be rejected because of behavior problems, crowding, or a failure to pay for services? As a tax supported facility, can the district allow a child to be turned away? How do you explain that its okay for a child to be at school during the day, but not before or after school? And what responsibility will the district have to those families who do utilize the service and abide by the rules? With several private businesses providing day care services, there are choices available to all families.

The children now spend some seven hours a day at the school with the other children in their class. If the children are kept at the school, it is assumed they would be housed in large groups by age. This could expand to ten to twelve hours each day the time the children are kept in the same groups at the same facility. The children will constantly be with the same schoolyard bully, the same class clown, the same clique. Suppose that your child does not like all of the children in his or her age group or perhaps you child does not like some of the staff. What would your option be, remove the child from that school care program? However, registered and licensed day care services will not be as readily available as few private day care providers will be able to stay in business in competition with state sponsored services. The few remaining will be very selective or very crowded, because they will not be providing services to the same mix of children. They will be very selective to take only certain children fleeing problems at the school or very crowded with those cast off by the school program.

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I have a licensed day care home in Shawnee and have been providing day care services in this area continuously for twenty years. I have complied with all the laws and regulations over the years, the occupation licenses, the insurance policies, the special use permits, the health department, the fire department, the SRS, and the parents. It is not easy to stay in this business for that length of time. I have been asked to come to Topeka and give testimony regarding this bill. If I were to do so, I would have to close down for the day and leave nine families without day care. I cannot do that.

I hope that, by providing this insight into what is a major problem for some families, I can impress upon you the fact that having a government sponsored program is not the way to go. Please consider this carefully and I hope you will not authorize this bill.

Sincerely,


Lynda Hadley

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Attachment 3-3
2-24-93



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 W. 10TH STREET / TOPEKA, KANSAS 66612-1686

Craig Grant Testimony Before
House Education Committee
Wednesday, February 24, 1993

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas NEA. I appreciate this opportunity to support HB 2036.

Kansas NEA supports this bill which would allow districts to establish day-care centers and charge a reasonable fee to recover costs. We are using our schools much more than previously for community services. This adds day care to that list, and there is not a better use of an educational facility than to help care for young people. Parents can, even when their children are at an early age, look to the schools to assist parents in the nurturing process. What a good positive step for a district to take if it has the room and ability to do so.

We support this concept and hope you will pass HB 2036 favorably.

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Attachment 4-1
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HB 2036

Testimony presented before the House Committee on Education
by Gerald W. Henderson, Executive Director
United School Administrators of Kansas
February 24, 1993

Mister Chairman and Members of the Committee:

United School Administrators of Kansas (USA) appreciates this opportunity to speak in support of **HB 2036**. This is one of those ideas that is so logical and makes so much sense that we should probably be suspicious.

The possibilities for service to the community at large as well as to school staff and students is tremendous. We would encourage the committee to report **HB 2036** favorably,

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Attachment 5-1
2-24-93



TOPEKA

HOUSE OF
REPRESENTATIVESROCHELLE CHRONISTER
REPRESENTATIVE, THIRTEENTH DISTRICT
ROUTE 2—BOX 321A
NEODESHA, KANSAS 66757-0321COMMITTEE ASSIGNMENTS
CHAIRMAN: APPROPRIATIONS
MEMBER: JOINT COMMITTEE ON CHILDREN &
FAMILIES
BOARD MEMBER: KANSAS TECHNOLOGY
ENTERPRISE CORP.
(KTEC)
KANSAS ADVOCACY AND
PROTECTIVE SERVICES
(KAPS)

HB 2036

February 24, 1993

Testimony Before the
House Education Committeeby
Representative Rochelle Chronister

HB 2036 would put into statute what a number of school districts are already doing, providing day care. It would authorize a school district only to recover the costs incurred in and directly attributable to the day care and to put any revenue collected into their general funds. These funds would be considered reimbursements for the purposes of the school finance formula and may be expended without being considered operating expenses.

When Representative Wagnon and I were members of the School Monitoring committee last year this question was brought before the committee. The committee did not appear to believe it was enough of an issue to put in their report, so we decided to introduce a bill which would raise the question, and start discussion on the issue.

A number of school districts already provide some type of child care - sometimes for teenage mothers in order to help keep them in school, often for "latch key" children for an hour or two before or after school under K.S.A. 65-527. In nearly all areas of the state there is a shortage of day care services for children. Many day care providers can not help provide the programs for school age children as they can not make enough money to keep a slot open for a child they will only have for a few hours a week.

Rural areas of the state are probably where the greatest needs exist. Rural areas also

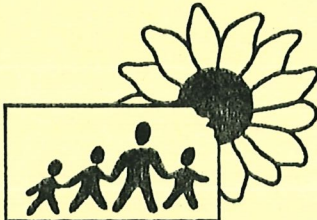
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have greater control over their schools. Everyone in town knows the school board members, and if they don't like something that happens - they won't hesitate to call and let them know. Schools can not institute these programs without a school board's permission. If a community has adequate child care, school boards are not going to start a program that will let them in for a great many additional headaches.

Schools will have to be licensed under the day care provisions in Article 5, Chapter 65 of K.S.A. If they were to operate a day care center for other than school age children they will have to pass all of the requirements that any other day care center must pass.

This bill is simply an attempt to clear up some of the technical questions raised by the monitoring committee and to help parents find good solutions for their child care problems in areas where day care is in short supply. It does not force anyone to start day care, or anyone to place their child in day care - it is an option for the parents when they may have no other choice except to leave their children home alone.

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KAEYC

Kansas Association for the
Education of Young Children

Testimony on HB 2036
presented to the
House Education Committee
February 24, 1993
by

Shirley A. Norris

Representing the Kansas Association for the Education of Young Children
131 Greenwood
Topeka, Kansas 66606
Ph. 913-232-3206

My name is Shirley Norris. I represent the Kansas Association for the Education of Young children, (KAEYC), an organization of over 1000 members who provide early childhood education, nurturing care and protection to thousands of Kansas children who are away from their parents for part or all of the day.

It is the position of the National Association for the Education of Young Children, and its Kansas affiliate that high quality, developmentally appropriate programs should be available to all children and their families. HB 2036 enables school districts to operate day care centers either independently or in cooperation with other school districts, or to contract with private agencies to to operate day care centers, thus contributing to the goal of making child care available to all children who need it.

It is also the position of our organization that all day care centers, regardless of sponsor, should meet the licensing requirements of the state. HB 2036 is in compliance with this position.

We further believe that HB 2036 serves the important purpose of clarifying the financial structure under which the public schools may operate day care centers.

KAEYC supports the passage of HB 2036.

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February 24, 1993

To House Education Committee

Re: HB 2036

My name is Josie Torrez and my husband and I are parents of two boys. Chris is 10 and in the 5th grade. Joey is 7 and in the first grade. They presently attend Randolph Elementary School here in Topeka.

My 7 year old has a severe speech/language delay and low muscle tone. He also has autistic tendencies which does not allow him to adjust to change of people or environment very easily. Because of that reason, I do not work full time outside the home. It is difficult to find a day care provider before and after school to watch him. I am fortunate to presently have a job that allows me to work only during school hours. Our budget is such that it would help tremendously if I could work full-time outside the home. That would benefit our entire family.

I support this bill entirely as the school Joey attends know Joey, his needs and wants. Joey is also familiar with the school.

I would feel comfortable with Joey staying at the school until either my husband or I could get off work.

It is so dangerous anymore to leave children "Home Alone". My 5th grader, Chris feels he is old enough not to have a "babysitter". If he would be able to stay at school with activities he enjoys like basketball, card games or just to do any homework he may have, it would give me peace of mind.

Thank you for allowing me to speak to your committee.

Josie Torrez
1904 SW Medford
Topeka, Kansas 66604
913-232-8295

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Attachment 8-1
2-24-93



**Testimony on H.B. 2036
before the
House Committee on Education**

by

**Mark Tallman, Director of Governmental Relations
Kansas Association of School Boards**

February 24, 1993

Mr. Chairman, Members of the Committee:

KASB supports the provisions of H.B. 2036, which would allow school districts to directly operate day care centers and to collect fees for such programs.

Generally, we support giving school boards the widest latitude in developing programs they believe to be in the interest of their students and community. Day care programs are one appropriate example. Whether or not such programs are needed, feasible and appropriate would be determined by the locally-elected school board. Concern has been expressed that school-based programs would undercut private providers or other agencies. We think it is highly unlikely that school boards would seek to operate such programs directly unless there are unmet child care needs.

We have also heard concerns about the treatment of fees for such programs in the school finance formula. We support whatever language is appropriate to ensure that these fees can be used to fund the costs of such programs without reducing state aid or budget authority for regular educational programs.

Thank you for your consideration.

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KANSAS RECREATION AND PARK ASSOCIATION

700 JACKSON, SUITE 705
TOPEKA, KANSAS 66603

(913) 235-6533
Laura J. Kelly, Executive Director

TESTIMONY BEFORE THE
KANSAS HOUSE OF REPRESENTATIVES
EDUCATION COMMITTEE
WEDNESDAY, FEBRUARY 24, 1993
RE: HB 2036

Mister Chair, Members of the Committee: I am Laura Kelly, Executive Director of the Kansas Recreation and Park Association. I represent over 600 park and recreation professionals and citizen advocates across the State of Kansas. I appreciate the opportunity to testify before you today in support of HB 2036.

In 1991 the Special Committee on Children's Initiatives recommendations included increasing "...by 20 percent each year the number of program slots for school age child care for children in families from every income level." The Special Committee identified specific methods to achieve this goal including:

"Barriers to licensing school buildings and recreation centers as school-age child care facilities should be removed."

and "Any school located in a neighborhood with a high concentration of working or single parents that adjusts its hours of operation to accommodate the needs of working parents and that provides before and after school supervision should be eligible to receive reimbursement for paraprofessional salaries."

Last year, the enactment of HB 2699 lifted the barriers to licensing school buildings for use as school age care facilities.

HB 2036 would lift another barrier by providing a mechanism for schools to organize and administer licensed, self-supporting school age care programs.

By allowing schools to collect fees from participants or to be reimbursed by SRS for eligible children, you will make it financially feasible for schools to consider using their facilities for a much needed service

Without this bill, schools can still allow other organizations like the Parks and Recreation Departments, the YM and YW's to contract to use their facilities to provide school age care. That can and does work in those communities where those other organizations exist and are interested in providing school age care.

HB2036 ensures that the all Kansas communities would have the ability to use an existing and appropriate facility and personnel to meet the needs of their families with school age children.

KRPA urges you to vote in favor of HB 2036.

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Public Affairs

**Testimony On House Bill 2036:
Authorizing School Districts To Operate Day Care Centers
By Robin Nichols, Wichita Public Schools
February 24, 1992**

Mr. Chairman, Members of The Committee:

I am Robin Nichols of the Wichita Public Schools. I thank you for the chance to testify in support of House Bill 2036 and ask your consideration of a technical change to reflect site-based management. We are very pleased that Representatives Chronister and Wagnon have formally recognized the very important services we provide to the families of the 1990s.

The Wichita Public Schools operate eleven all day child learning center sites serving more than 200 children, 60% of whom are children of our students. The cost per child averages \$3,200 per year. Employees of the district pay full rate while students pay only \$3.00 per day. We collect nearly \$2,700 per child per year to offset expenses.

We also have 36 latchkey sites for before and after school care of 1300 of our students. Parents continually request additional sites and services. The average latchkey child costs \$990 per year. Staff costs and supplies are borne by the users of the program, while the district provides space and maintainance.

Because we do not run our programs at break-even, let alone a profit, we request that you add permissive language to allow us to maintain a day care fee fund for the revenues and expenditures of these programs as an alternative to the requirement to place them in our general fund budget. [Line 26]. Let me explain why.

Our programs began as site-based initiatives driven by the needs of our students' families: building staff recognized the needs of the families they served and tested the programs. The programs proved to be a successful and cost effective education component and were replicated at other sites by staffs who knew the needs of their school's families.

Because they are site managed programs in the purest form, we reflect that fact in our accounting of their revenues and expenditures. We maintain a revolving account of their cost and services at the administrative level, but all controls over revenues and expenditures are at each building site. We purposely

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maintain the site control to insure we do not divert funds to other sites for other purposes and to learn what the services actually cost. For example, by doing so we were able to compare efforts to privatize latchkey to our own site programs and found our programs to be far more cost efficient.

We urge your support of House Bill 2036 and thank you for your attention to this request.

KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES
Donna Whiteman, Secretary

Testimony before the House Education Committee
H.B. 2036
February 24, 1993

SRS MISSION STATEMENT

"The Kansas Department of Social and Rehabilitation Services empowers individuals and families to achieve and sustain independence and to participate in the rights, responsibilities and benefits of full citizenship by creating conditions and opportunities for change by advocating for human dignity and worth, and by providing care, safety and support in collaboration with others."

Mr. Chairman and members of the committee on behalf of the Secretary, I thank you for the opportunity to present this testimony.

The Kansas Department of Social and Rehabilitation Services appears as a proponent for HB #2036 which will increase the availability of community child care services.

If enacted, this bill allows the board of education of any school district to establish, operate, and maintain a day care center for children, or to enter into cooperative agreements or contracts with other boards, private non-profit or public institutions to provide such services. The bill also allows for programs to prescribe and collect fees for such care to recover the costs attributable to the program, and to deposit revenues collected in the general funds of the school district as reimbursement, or to provide service without charge.

The act further requires school districts that provide day care service to be licensed in accordance with provisions contained in article 5 of chapter 65 of the Kansas Statutes annotated.

Since 1986, the Department of SRS has made federally funded grants available annually to local school districts and community non-profit organizations to establish, expand or improve school age child care services. In recent years additional federal funds from the Child Care and Development Block Grant have become available to assist communities in establishing child care services for working parents. Last year forty three grants were awarded to establish center based or school age child care services. Many of the preschool, school-age and special needs care projects involved collaborative planning and/or operation that included local school districts. School districts are eligible applicants for these funds and have been encouraged to submit applications.

Our agency supports community efforts such as this to create affordable, quality child care that provides benefits for children by securing a safe, convenient and reliable environment, as well as a cost effective, essential service for working parents to achieve and maintain employment and self sufficiency.

The enactment of this bill will assist our agency in this endeavor by allowing school districts to establish child care services, thus increasing the availability of care for working parents.

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THE CORPORATION FOR CHANGE

A Partnership for Investing in The Future of Kansas Children and Families

Testimony before House Education Committee
Rep. Duane Goossen, Chairman
February 24, 1993

by Jolene M. Grabill, BSW, MPA
Re: House Bill 2036

Thank you Mr. Chairman. I am Jolene Grabill the Executive Director of The Corporation for Change. The Corporation is a public/private partnership designed to invest in the future of Kansas children and families. We are, in short, a think tank for children's issues, designed by statute to make the system of services to Kansas children and families more efficient and more productive in meeting the actual needs of the children and families of this state.

The Corporation for Change Board of Directors supports strategies to expand child care services in Kansas.

The Corporation operates under the framework of the five year plan for reform of children's services known as *The Blueprint for Investing in the Future of Kansas Children and Families*. *The Blueprint* outlines seven targets for change. House Bill 2036 is consistent with two of those targets.

Day Care strategies appear under Target I: Providing Greater Support to Children and Families.

To accomplish this goal, *The Blueprint* encourages school boards to review "the extent to which school hours and policies serve families" and to make the building more available for programs identified to serve families in that specific community. Furthermore, *The Blueprint* states that "barriers to licensing school buildings and recreation centers as school-age child care programs should be reviewed." (*The Blueprint*, page 37) The 1992 Legislature took action to remove barriers regarding licensing and fire code regulations which were barriers to child care programs in school buildings. The 1993 Legislature now has the opportunity to remove another barrier, the lack of authority for school districts to either contract with a private entity for the operation of a child care center in a school building or to operate the child care centers themselves.

HB 2036 is also consistent with the intent of Target V: Modify Service Delivery Systems which calls for coordination at the local level to build a integrated service delivery system involving social service agencies, courts, health and mental health agencies, and schools.

EXECUTIVE DIRECTOR
Jolene M. Grabill

BOARD OF DIRECTORS

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Kansas Children's
Service League
Topeka
Dr. Paul Adams
Chair, State Board
of Education
Osage City
Dr. Robert C. Harder
Chair, Governor's
Commission on
Children, Youth
and Families
Topeka
Fran Jackson
Youth Development
Services
Wichita
Sen. Sherman Jones
4th Sen. District
Kansas City
Dawn Merriman
Parent Representative
Salina
Judge Jerry Mershon
21st Judicial District
Manhattan
Sec. Nancy Parrish
Dept. of Revenue
Topeka
Sen. Sandy Praeger
Chair, Senate Public
Health and Welfare
Committee
Lawrence
Joyce Romero
Western Resources
Topeka
Rep. Ellen Samuelson
Chair, Joint Committee
on Children and Families
Hesston
Eva Tucker
USD 500
Kansas City, Kansas
Sec. Donna Whiteman
Dept. of Social &
Rehab. Services
Topeka

Programs that address the needs of children and families must be flexible in design, administration, and funding, and should allow service providers to package an appropriate array of services for a child, free from some of the constraints imposed by state or federal funding."
(*The Blueprint*, page 54)

HB 2036 appears to address that flexibility in design, administration, and funding by giving local school districts the authority to determine if school-based day care centers make sense for their community, and further, who should run them and how to provide the best child care service with the least possible overhead.

This last point of local flexibility should not be under-estimated, Mr. Chairman. For it is only when the parents, teachers, business persons, and community leaders of each Kansas community come together to address the specific needs of the children and families in their community that the future of our most precious resource, our children will be best served.

Thank you, Mr. Chairman. I would be happy to answer any questions of the committee.

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Department of Health and Environment

Robert C. Harder, Secretary Reply to:

Testimony presented to

The House Committee on Education

by

The Kansas Department of Health and Environment

House Bill 2036

The need to find quality affordable child care continues to be an issue for working parents. This is especially true for parents of school age children. Finding child care for an hour before or after school or care for a child on days school is not in session is difficult. Even if a child care provider is found for a school age child, finding transportation to and from school can be problematic. Parents do not often have the choice of staying home from work and are left with the uncomfortable position of leaving their elementary age child at home alone. Teen parents are also faced with a similar dilemma. Transportation to and from child care and the affordability of child care makes it difficult for teen parents to stay in school. Communities are looking at schools to fill the need for school age child care and to provide child care so that teen parents can continue their education.

School boards have been reluctant to establish and operate a child care facility or enter into agreements with other agencies to establish and operate a child care facility for a number of reasons, one of which is the legal question of whether it is within the school board's scope of authority to operate or enter into agreements to operate a child care facility. One of the issues addressed in the Blue Print for Kansas was to remove barriers so that schools could more readily provide child care. This bill clearly removes this barrier and authorizes school boards to establish, operate and maintain a day care center for children or to enter into agreements for this purpose.

HB 2036 does not require a school board to provide a day care center. The school board retains the option of whether or not to offer this service. Licensed child care facilities are eligible to receive funding under the Department of Education Child and Adult Care Food Program and funding through SRS for child care services. Legislation was passed during the 1992 legislative session which removed physical plant barriers to licensing child care facilities for school age children in school buildings. Schools that provide licensed school age child care are now required to comply with school building code requirements and fire safety instead of the KDHE physical plant requirements for child care centers. KDHE is currently revising the child care center regulations to remove any further barriers that might be identified for providing school age child care in school buildings. Regulatory safeguards are provided through the licensing program which include educational and health

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requirements for staff, health requirements for children, KBI Criminal History and SRS Child Abuse Registry Background Checks on all persons caring for children, discipline and program requirements and child/staff ratios. These safeguards are currently in place in the private sector through the licensing program.

The Department recommends that the term "day care center" be replaced with "child care facility". School boards may want to establish a small child care program and license it under the less stringent group day care home or a licensed day care home category of child care instead of licensing the program as a child care center.

The Department recommends passage of HB 2036 with the recommended language change from "day care center" to "child care facility".

Testimony presented by: Chris Ross-Baze, Director
Child Care Licensure and Registration
Bureau of Adult and Child Care
February 24, 1993

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Testimony of Christine Harder

I urge you to vote NO on House Bill # 2036. My name is Christine Harder, I am a child care provider of ten years. My experience and concern drives me to speak out against this bill. This proposed bill seems to be designed to expand on the before and after school child care programs already in place to include infant, toddler and preschool children. THIS IS WRONG! This bill may cost me and many others our jobs and will reduce parental choice. Due to state regulations on the number of children in care, one child represents at least 20% of my livelihood and the loss of one child could force me to close my home. Through child care I am able to raise my two children on my own and survive without the assistance of state subsidies just like many other in home day care providers. The intent of this bill is unclear and open ended. It offers too many avenues for government to compete directly with private in home providers. I cannot afford a large advertising budget to compete. I do not have a large building with the latest expensive playground equipment. Simply put, this bill will hurt the single income home provider, people like me, and it will be my tax dollar that will support my competition. When I heard of this bill, my heart stopped and panic welled within me when I realized that this is enough to shut me down. I struggle as it is to keep my home filled with the number of children it takes to keep a roof over my head and I'm one of the lucky ones. Because I've been in the business long enough and ^{do} have ^{a good} reputation, I am able to keep my head above water. There are many who are not! But no matter how good I am and how well off the children are that come into my home I fear I am not big enough to survive this kind of an impact. What

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frightens me the most is where do I go when I lose the one job that I love and know the most about that I chose as a career. Growing up in a daycare home provided me the understanding of what it takes and the means to operate a daycare business. I am not only providing a loving, learning atmosphere for children but also making a living for my family. I work very hard at my profession with workshops, C.P.R. and First Aid Training, producing a newsletter, and being involved in child care issues such as this. I want to continue my career and let my daughter have the same choices that I had ten years ago, but with the passing of this bill, I fear she would not. Daycare homes, daycare centers, and pre-schools all offer and meet different needs of children, these are great choices. Home day care offers a stable home environment where children interact with other children of different ages. This care is also generally provided at lower cost than institutional care. Many parents choose this type of care. They believe home based care provides the best for their child. If one child leaves, and one home closes, parental choice is being restricted.

I know there are some good programs in schools for before and after care for school age children. I also know there are good programs to support student parents. I support those programs. I cannot however, support this broad approach. The bill needs more focus. I, like you, want what is best for our children but I truly believe this bill as it is currently written is not the answer.

Thank you. I'll be glad to answer any questions.

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HOUSE OF
REPRESENTATIVES

STATE REPRESENTATIVE
117TH DISTRICT
HODGEMAN, LANE, NESS
RUSH AND FINNEY COUNTIES

Assistant Majority Leader

TESTIMONY ON HB 2303

Mr. Chairman and Members of the Education
Committee:

Thank you for the opportunity to testify regarding House Bill 2303. The need for 2303 results when families living in the sparse areas of Western Kansas live closer to an attendance center in a neighboring district than they do to the attendance center in their own school district. Families who find themselves in this situation have always been able to go to the school outside their district with approval of that school, however, unless the students' home school district allowed it, the receiving school could not send buses to the students' homes to pick them up. Many families have dealt with this situation by meeting school buses at district lines or some other pre-determined pick up point. To me this has always seemed like an inconvenience a family should not be subjected to just to go to the closest school to their residence, probably located in the town where they go to church, buy groceries, and visit friends.

In recent times, rural Kansas like urban Kansas has seen more and more families with both parents working. The inconvenience that existed before is now exacerbated, when not only do the parents need to meet a bus at some pre-determined point in the middle of nowhere but they must make it to work on time sometimes in a different town up to 50 miles away. Then arrangements must also be made to meet the bus after school. This situation makes it very difficult for a family to send their child to the closest school if the school can't pick the child up at the residence.

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I realize 2303 encompasses more than just distance. While I think type and quality of roads and geographic impediments are important when addressing the needs of rural Kansans. Sec. 1 b(5), educational advantages, does create problems in the minds of several influential elements in our political process, therefore, I would suggest that this item be removed from 2303.

There will undoubtedly be criticism of different components of this bill, but there is no reason children should have to go to school 30 miles away when there is a school 21 miles away over much better roads. This committee has the opportunity make this situation better. Thank you. I'd be happy to answer questions.

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KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS



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Testimony on House Bill 2303
before the

House Committee on Education
by

John W. Koepke, Executive Director
Kansas Association of School Boards

February 24, 1993

Mr. Chairman and members of the Committee, we appreciate the opportunity to appear before you on behalf of the member boards of education of the Kansas Association of School Boards. House Bill 2303 presents some unique problems for us in that it addresses an issue which has never been fully debated by our members, nor have any of them ever asked us to seek the authority contained in this bill.

As we understand it, HB 2303 really seeks to address two issues. The first is an appeal provision which would allow the decision of a school board to deny another school district the right to enter the boundaries of the first school district to pick up non-resident students to be overturned. Allowing a state agency to overturn the decision of a local school board in this manner raises several fundamental questions that we believe deserve more extensive consideration. There are obvious problems with the criteria cited in HB 2303 for such a decision and no consideration is given to the potential for such a decision to affect a desegregation plan in the sending school district.

The second major provision of HB 2303 is to allow transportation reimbursement for school districts who enter another school district to pick up students, whether by mutual agreement as under present law, or by a State Board order, as contemplated in HB 2303. The most recent figures we have seen from the State Department indicate that over 7,000 Kansas students are currently attending school in a district other than their district of residence. We do not know how many of these would qualify for transportation aid under the provisions of this bill, but it would seem that the fiscal note might be considerable.

Because of all of the uncertainties surrounding this measure, we would ask that the bill not be considered during this legislative session. We believe more time is needed to adequately consider all of the ramifications of this measure and would ask your indulgence in this request. We thank you again for the opportunity to express these views and I would be happy to answer any questions.

HE

Attachment 17-1
2-24-93