

Approved: 2/19/93  
Date

## MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Chairperson Dave Kerr at 1:30 p.m. on February 18, 1993 in Room 123-S of the Capitol.

All members were present.

Committee staff present: Ben Barrett, Legislative Research Department  
Avis Swartzman, Revisor of Statutes  
LaVonne Mumert, Committee Secretary

Conferees appearing before the committee: None

Others attending: See attached list

Senator Frahm made a motion to approve the minutes of the February 17, 1993 meeting. Senator Emert seconded the motion, and the motion carried.

Senator Frahm made a motion that the Committee recommend confirmation of the appointment of Sidney Warner to the Kansas Board of Regents. Senator Emert seconded the motion, and the motion carried.

### SB 101 - School districts, fees and charges, disposition of revenues

Senator Oleen supplied information regarding the Manhattan USD 383 summer program (Attachment 1) and explained a proposed amendment to the bill (Attachment 2). The amendment would allow the district to charge fees for summer programs to those students who have the resources to pay. It was explained that school districts are prohibited from collecting fees for any purpose unless they are specifically authorized by law to do so. The amendment would prohibit anyone who receives free or reduced lunches from being charged a fee. There are current prohibitions against charging fees to any student taking a course which is required by law, rules and regulations of the State Board of Education, policy of the State Board of Education, QPA or by the student's IEP. Senator Oleen advised that, under the amendment, the district could only charge enough to recoup their expenses. During Committee discussion, staff advised that districts are funded based on enrollment and that the school year runs from July 1 through June 30.

Senator Oleen made a motion to amend SB 101 to allow districts to charge fees to those students who have the ability to pay for summer programs (see Attachment 2). Senator Frahm seconded the motion, and the motion carried.

### SB 68 - School districts, abolishing technology education funds and providing for disposition of moneys remaining therein

Senator Langworthy made a motion that SB 68 be recommended favorably for passage. Senator Oleen seconded the motion, and the motion carried.

### SB 101 - School districts, fees and charges, disposition of revenues

Senator Oleen made a motion that SB 101, as amended, be recommended favorably for passage. Senator Langworthy seconded the motion, and the motion carried.

### SB 140 - School districts; disposition of unexpended balances remaining in supplemental general fund

Senator Langworthy made a motion that SB 140 be recommended favorably for passage. Senator Frahm seconded the motion. After discussion, the motion carried.

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, Room 123-S Statehouse, at 1:30 p.m. on February 18, 1993.

SB 67 - School finance, definition of enrollment, new school facility

During discussion of the bill, Dale Dennis (State Department of Education) noted that the bill applies only to those districts currently at the 25 percent local option budget cap. He added that there is only one school district that both met that qualification and opened a new building last year.

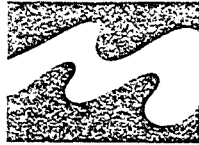
Senator Langworthy explained a proposed amendment to SB 67 (Attachment 3). The amendment would remove the requirement that the district must be utilizing its full 25 percent local option budget, districts would have the opportunity to appeal to the Board of Tax Appeals for authority to levy for costs in excess of \$900 per student and allow assignment of school facilities weighting for three years. The Committee requested that information regarding the fiscal impact of the amendment be provided at the next meeting.

The Committee received information from the State Board of Education indicating that the per pupil cost in the New Stanley Elementary School is \$4,133 (Attachment 4).

The meeting was adjourned at 2:25 p.m. The next meeting of the Committee is scheduled for Friday, February 19, 1993.

SENATE EDUCATION COMMITTEETIME: 1:30 PLACE: 123-5 DATE: 2/18/93GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Lynn Brown-Juick	15020 Murray, OP.	BY Schools
Gary Gordon	15020 Metcalf OP	BY Schools
Mary Alice Bohling	Rt. 1, Box 94, Jetmore, ks	KASB
Bill Musick	Minneapolis	S + Bd Ed
Derrell SCHOLLER	Valley Center KS	BOE Member
VERN KREHBIEL	Pretty Prairie, Ks	USD 311 BOE member
Bill MEEK	19750 S. Plummer Breyers Ks	KASB
Mike Steck	25370 Mission Louisburg KS	USD 416 BOE member
Oran A. Burnett	Topeka	USD 501 #
Kenneth Woods	104 Grant, Garnett	USD 365
Maile Hise	Topeka	KACC
Ann Tommer	Lawrence	Senator's office
Rubin Nichols	Wichita	259



MANHATTAN UNIFIED SCHOOL DISTRICT 383  
Manhattan - Ogden

February 10, 1993

The Honorable Lana Oleen  
Senator, 22nd District  
Kansas Senate  
State Capital Building  
Topeka, KS 66612

Dear Senator Oleen:

Manhattan-Ogden USD #383 has a concern regarding the future of summer school programs in the State of Kansas.

It is our understanding that the \$3,600 per pupil was intended for 181 days of instruction plus two days of inservice education. If a district chooses to operate a summer program, or extend in any way the length of instructional time, this must be accomplished within the \$3,600.

Manhattan-Ogden's 1992 summer school program served 1,172 K-12 students. Elementary students received four hours per day of instruction for four weeks. Secondary students received four hours per day of instruction for six weeks. The total cost of this summer program was \$102,359. Approximately 40% of these students qualified for free or reduced fees meaning that either no fees or minimal fees were collected.

According to Dale Dennis and Veryl Peter of the Kansas State Board of Education, and our legal counsel, Dick Seaton, Statute 72-5389 authorizes school boards to assess and collect fees for

- (a) workbooks and materials
- (b) specialized clothing
- (c) musical instruments
- (d) consumable materials or supplies

These fees are considered reimbursements and may be expended above our authorized budget.

There is no statutory provision for assessing and collecting fees to offset salary expenses.

We ask that consideration be given to allowing districts offering summer programs to either receive additional state aid on a per pupil basis or be allowed to charge a fee to offset most of the cost of such programs.

Respectfully

Steven A. McKee Ed.D.  
Superintendent of Schools

/kw

cc: USD 383 Board of Education  
Dale Dennis

*ASB Delegate Ass.  
resolutions*



**The Manhattan-Ogden Public Schools**

**Elementary Summer School Bulletin**

- ☐ **GOOD NEWS!** We have room for a few more students in each of our magnet schools.
- ☐ Classes meet from June 10 through July 3, 1991
- ☐ **Cost:** \$65.00, \$32.50 reduced lunch students, \$0 dollars for free lunch students

**Kindergarten Magnet:** For children who have completed kindergarten.

**Cultures Magnet School.** Grades 1-6. For children interested in learning about children and lifestyles of other cultures in our world.

**Fine Arts Magnet School.** Grades 1-6. For children with a high interest in the arts and integrated program of art, music and drama.

**Imagination Magnet School.** Grades 1-6. For children who delight in the use of imagination.

**Math/Science Magnet School.** Grades 1-6. For children with a high interest in math and science.

**Wellness Lifestyles Magnet School.** Grade 1-6. For children with interest in an action-packed program that will help them develop a healthy lifestyle.

☐ **Enrollment is open again until May 15, 1991**

☐ *The enrollment form is in the information brochure—pick it up at your school office.*

☐ *Do you have questions? Call:*      **Teresa Northern, 539-2541**  
   **Nancy Thompson, 537-2400**

Robinson Education Center  
2031 Poyntz Avenue  
Manhattan, Kansas 66502  
913/537-2400

1-2  
2/18/93

Proposed Amendment  
to Senate Bill No. 101

On page 7, following line 28, by inserting a new section as follows:

New Sec. 8. (a) The board of education of any school district may: (1) Establish, operate and maintain a summer program for pupils; (2) enter into cooperative or interlocal agreements with one or more other boards for the establishment, operation and maintenance of summer program for pupils; and (3) prescribe and collect fees for providing a summer program for pupils or provide such program.

(b) Fees for providing a day summer program for pupils established under authority of this section shall be prescribed and collected only to recover the costs incurred as a result of and directly attributable to the establishment, operation and maintenance of the program. Revenues from fees collected by a board under this section shall be deposited in the general fund of the school district and shall be considered reimbursements to the district for the purpose of the school district finance and quality performance act and may be expended whether the same have been budgeted or not and amounts so expended shall not be considered operating expenses.

(c) No school district may collect fees for providing a summer program for pupils required to attend such a program in accordance with the provisions of law, rules and regulations of the state board of education, policy of the board of education, or an individualized education plan developed for an exceptional child.

(d) As used in this section, the term "summer program" means a program which is established by the board of school district and operated during the summer months for the purpose of giving remedial instruction to pupils or for the purpose of conducting special projects and activities designed to enrich and enhance the educational experience of pupils, or for both such purposes.";

By renumbering sections 8 and 9 as sections 9 and 10, respectively;

Also on page 7, in line 32, by striking "statute book" and inserting "Kansas register";

## Proposed Amendment to Senate Bill No. 67

On page 3, in line 7, by striking "School facilities"; by striking all of lines 8 and 9; in line 10, by striking "total amount authorized for the school year."; following line 20, by inserting a new section as follows:

"New Sec. 2. (a) The board of any district may levy an ad valorem tax on the taxable tangible property of the district each year for a period of time not to exceed three years in an amount not to exceed the amount authorized by the state board of tax appeals under this section for the purpose of paying a portion of the costs attributable to commencing operation of one or more new school facilities.

(b) The state board of tax appeals may authorize a district to make a levy under this section, which levy will produce an amount that is not greater than the difference between the actual amount of costs attributable to commencing operation of one or more new school facilities and the amount of general state aid entitlement of the district that is attributable to the school facilities weighting assigned to enrollment of the district on the basis of costs attributable to commencing operation of the facility or facilities. If the district is not eligible, or will be ineligible, for school facilities weighting in any one or more years during the three-year period for which the district is authorized to levy a tax under this section, the state board of tax appeals may authorize the district to make a levy, in such year or years of ineligibility, which will produce an amount that is not greater than the actual amount of costs attributable to commencing operation of the facility or facilities.

(c) There is hereby established in every district that levies a tax under authority of this section a fund which shall be called the new school facilities fund. The fund shall consist of the proceeds from the tax levy and shall be used to supplement amounts expended from the general fund of the district for the



operation of new school facilities.";

By renumbering sections 2 and 3 as sections 3 and 4, respectively;

In the title, in line 9, before "amending", by inserting "providing for the levy of ad valorem taxes for commencing operation of new school facilities;"

# *Kansas State Board of Education*

120 S.E. 10th Avenue, Topeka, Kansas 66612-1182

February 17, 1993

TO: Legislative Research Department

FROM: Dale M. Dennis, Asst. Commissioner  
Division of Fiscal Services and Quality Control

SUBJECT: Request for Information

This memorandum is written in response to your inquiry concerning the 1991-92 cost of operating the New Stanley School in U.S.D. #500, Kansas City.

The Acting Superintendent of Schools has indicated that the average operating cost per pupil is \$4,133.00.

Dale M. Dennis  
Deputy/Assistant Commissioner  
Division of Fiscal Services and Quality Control  
(913) 296-3871

Sen. Education  
Attachment 4  
2/18/93