

Approved: 3-31-94
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Duane Goossen at 3:30 p.m. on March 22, 1994 in Room 519-S of the Capitol.

All committee members were present.

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

Conferees appearing before the committee: None

Others attending: See attached list

Representative Wiard moved and Representative Pettey seconded motion to adopt the balloon version of **SB 803**. Motion carried. (Attachment 1)

Representative Benlon moved an amendment, stating in new Section 3, line 38, "the number of charter schools that may be operated within a single school district shall not exceed"one" per school district (rather than three). Representative Majure seconded the motion to amend. On a 11 to 9 vote, motion to amend carried.

Representative Wiard moved to amend striking "gender balance." (Page 3, new section 4 (d) (2)). Representative Pottorff seconded motion to amend. On a 10 to 10 vote, motion to amend failed.

Representative Wilks moved to amend changing "must" to "may" (Page 3, new section 4(d)(1)). Representative Kline seconded motion to amend. On a 6 to 13 vote, motion to amend failed.

Representative McKechnie moved to amend on a conceptual motion effective July 1, 1996 to authorize up to 15 additional charter schools, but not to exceed 60. Representative Morrison seconded motion to amend. On a 7 to 13 vote, motion to amend failed.

Representative Larkin moved and Representative Morrison seconded motion to pass **SB 803** favorably as amended. Motion carried.

Representative McKechnie moved the proposed amendment (1) to **SB 586** (as amended by Senate Committee of the Whole) be adopted. Representative Pottorff seconded the motion to amend. Motion carried. (Attachment 2)

Representative McKechnie moved proposed amendment (2) to **SB 586** (as amended by Senate Committee of the Whole) be adopted. Representative Pottorff seconded the motion to amend. Motion carried. (Attachment 3)

Representative Pottorff moved and Representative Majure seconded motion to pass **SB 586** favorably as amended. Motion carried.

Meeting adjourned at 5:09 p.m.

The next meeting of the House Education Committee will be held on call of the chair.

GUEST LIST

Committee: Education

Date:

[illegible]

SENATE BILL No. 803

By Committee on Education

2-16

9 AN ACT concerning school districts; providing for the establishment
10 of charter schools by boards of education; amending K.S.A. ~~72-~~
11 ~~5410, 72-5410, 72-5436, 72-9000~~ 72-9901 and 72-9903 and re-
12 pealing the existing sections.
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 New Section 1. It is the intention of this act to provide an al-
16 ternative means within the public school system for ensuring ac-
17 complishment of the necessary outcomes of education by offering
18 opportunities for school building or school district employees groups,
19 educational services contractors, and other persons or entities to
20 establish and maintain charter school programs that operate within
21 a school district structure, but independently from other school pro-
22 grams of the district.

23 New Sec. 2. The board of education of any school district may
24 authorize the establishment of a nonsectarian, outcomes-oriented ed-
25 ucational program, hereinafter referred to as a charter school, as a
26 means of providing new opportunities for:

- 27 (a) Improved pupil learning;
28 (b) increased learning opportunities for pupils in special areas of
29 emphasis in accord with themes established for charter schools;
30 (c) creative and unconventional instructional techniques and
31 structures;
32 (d) new professional vistas for teachers who operate such schools
33 or who choose to work in them; and
34 (e) freedom from conventional program constraints and mandates.

35 New Sec. 3. The total number of charter schools operating in
36 the state in any school year shall not exceed 15. ~~Subject to the~~
37 ~~foregoing, there shall be no limitation on~~ the number of charter
38 schools that may be operated within a single school district. The
39 state board of education shall establish a procedure for effectuating
40 the provisions of this section by providing school districts with in-
41 formation concerning the number of charter schools currently being
42 operated, the availability of an opportunity for establishment of a
43 charter school due to discontinuance of a previously established char-

and

shall not exceed three

House Education

March 22, 1994

Attachment 1

1 ter school, and criteria for determining the order in which additional
2 charter schools may be established.

3 New Sec. 4. (a) The state board of education shall design and
4 prescribe the format of a petition for establishment of charter schools.
5 The petition shall be designed in a manner that will provide for
6 inclusion of a description of the key elements of the charter under
7 which the school will be operated.

8 (b) A petition for the establishment of a charter school may be
9 prepared and submitted to the board of education of a school district
10 by or on behalf of a school building or school district employees
11 group, an educational services contractor, or any other person or
12 entity.

13 (c) The board of education of a school district shall receive and
14 review each petition for establishment or continuation of a charter
15 school and may grant or renew a charter for operation of the school.
16 The charter must contain the following key elements:

17 (1) A description of the educational program of the school, in-
18 cluding the facilities that will be used to house the program;

19 (2) specification of program goals and the measurable pupil out-
20 comes consonant with achieving the goals;

21 (3) explanation of how pupil performance in achieving the spec-
22 ified outcomes will be measured, evaluated, and reported;

23 (4) the governance structure of the school, including the means
24 of ensuring accountability to the board of education;

25 (5) a description of qualifications to be met by persons employed
26 by the district for assignment to the charter school;

27 (6) procedures that will be followed to ensure the health and
28 safety of pupils and staff;

29 (7) criteria for admission of pupils, including a description of the
30 lottery method to be used if too many pupils seek enrollment in the
31 school;

32 (8) manner in which annual financial and program audits will be
33 conducted;

34 (9) pupil suspension and expulsion policies, to the extent there
35 is deviation from districtwide policies;

36 (10) manner of pupil participation in the Kansas assessment pro-
37 gram;

38 (11) terms and conditions of employment in the charter school;

39 (12) identification of school district policies ~~and~~ state board of
40 education rules and regulations from which waiver is sought in order
41 to facilitate operation of the school and explanation of the reasons
42 such waivers are being requested; and

43 (13) the proposed school budget.

Any such petition shall be submitted by not
later than December 1 of the school year
preceding the school year in which the charter
school is proposed to be established.

, and statutory requirements

establishment

(d) In addition to satisfying a board of education with regard to the key elements contained in the charter, a charter school must comply with the following requirements in order to qualify for ~~approval~~ or continuation:

and must participate in the quality performance accreditation process

(1) The school must be focused on outcomes or results;

(2) pupils in attendance at the school must be reasonably reflective of the racial and socio-economic composition of the school district as a whole;

gender balance and the

(3) pupils may not be charged tuition; and

(4) compliance with applicable health, safety, and access laws must be assured.

(e) If, upon receipt of a petition for establishment or continuation of a charter school, a board of education finds the petition to be incomplete, the board may request the necessary information from the petitioner. After receiving a satisfactory petition, the board of education shall give notice of the time, date and place for the holding of a public hearing on the petition and shall rule on the petition within 30 days after the public hearing is held. If the board of education approves the petition, the board shall notify the petitioner and the state board of education within 30 days after the approval.

or by February 1 of the school year preceding the school year in which the charter school is proposed to be established, whichever is earlier

After

~~Within 60 days after~~ being notified by a board of education of the approval of a petition, the state board shall ~~from an order containing a finding upon the issue of~~ whether the charter school ~~approved by the board of education~~ is in compliance with applicable state and federal laws and regulations. If the ~~state board's finding is in the affirmative, the~~ charter school ~~may be established~~. If the finding specifies areas in which the charter school is in noncompliance with such laws and regulations, the charter school may not be established until the state board's objections have been satisfied. ~~If the board of education denies the petition, the petitioner may appeal the decision to the state board of education within 30 days after the decision by filing a notice of appeal with the state board and the board of education. Within 30 days after receipt of the appeal notice, the state board shall schedule an appeal hearing. The hearing must be held within 30 days after receipt of the appeal notice and must be conducted at a location in the affected school district. The state board shall render its decision on the appeal within 60 days after the hearing. If the state board finds that the board's decision to deny the petition was contrary to the best interests of the pupils, school district, or community, the state board shall issue an order to the board of education with instructions to the board for approval and establishment of the charter school.~~

determine

rules and

is found to be in compliance with such laws and rules and regulations, the state board shall approve establishment of the charter school. If the charter school is not in compliance with such laws and rules and regulations, establishment of the school shall not be approved

See Insert 3

See Insert 4

1-3

Insert 3

If the state board receives notification of the approval of petitions by boards of education for establishment of more than 15 charter schools that are found to be in compliance with applicable state and federal laws and rules and regulations, the state board shall select and approve establishment of the 15 charter schools deemed to possess the greatest potential for successful operation. The state board shall notify boards of education and petitioners for the establishment of a charter school of the approval thereof by not later than April 1 of the school year preceding the school year in which the charter school is proposed to be established.

Insert 4

(f) If a charter school that has been approved for establishment has sought waiver from any school district policy, state board of education rules and regulations, or statutory requirements, the board of education of the school district in which the charter school will be established may consider the reasons for which the waivers have been requested. If the board of education determines that the reasons for seeking such waivers are meritorious and legitimately related to successful operation of the charter school, the board of education may grant waiver of school district policy and may make application, on behalf of the charter school, to the state board of education for waiver of state board rules and regulations or statutory requirements. The state board may consider the application for waiver and approve, deny, or amend and approve the application. Upon approval or amendment and approval of the application, the charter school may operate under the terms and conditions of the waiver. The manner and method of exercising the rights and performing the responsibilities, duties and functions provided for under any school district policy, state board rules and regulations, or statutory requirements that are waived under authority of this subsection shall be prescribed in the charter and governed thereby.

11

Whenever a charter school has been approved for establishment or continuation by the board of education of a school district and the state board of education, no other approval shall be required for a period of three school years.

the

at the conclusion of such three-year period and may either renew the charter and continue operation of the school, subject to approval by the state board of education, or nonrenew the charter and discontinue operation of the school. The board of education shall

that have not been waived by the state board of education

New Sec. 5. (a) ~~The board of education of a school district may consider renewal of the operational status of a charter school in each school year and is authorized to nonrenew or~~ revoke the charter of a school if the school:

- (1) Materially violates provisions contained in the charter;
- (2) fails to meet or pursue the educational objectives contained in the charter;
- (3) fails to comply with fiscal accountability procedures as specified in the charter; or
- (4) violates provisions of law.

(b) Prior to nonrenewing or revoking a charter, a board of education shall hold a hearing on the issues in controversy. Spokespersons for the charter school shall be provided the opportunity to present information refuting the basis upon which the nonrenewal or revocation is premised. At least 30 days notice must be provided to representatives of the charter school prior to the hearing. Within 60 days after the hearing, the board of education shall announce its decision on the nonrenewal or revocation issue. The board may abandon the proposed nonrenewal or revocation, nonrenew or revoke the charter, or continue recognition of the charter contingent upon compliance with specified conditions. The decision of a board of education to nonrenew or revoke a charter is not subject to appeal; however, the charter school authorities may renew procedures for authority to operate a charter school.

New Sec. 6. The board of education of any school district in which a charter school is being operated shall provide transportation to and from the school for pupils who qualify for free meals under the national school lunch act and who live 2½ or more miles from the school. Nothing in this section shall operate in any manner to prevent a board of education from providing transportation to and from a charter school for all pupils attending the school.

New Sec. 7. (a) All employees of a school district who are participating in the operation of a charter school and who qualify for membership in the Kansas public employees retirement system shall be members of the system.

(b) All employees of a school district who are participating in the operation of a charter school and who qualify for health insurance and other fringe benefit programs provided for other school district employees shall be eligible to participate in such programs.

~~(c) The provisions of law contained in articles 54 and 90 of chapter 72 of Kansas Statutes Annotated shall not apply to employees of a school district who are participating in the operation of a charter school. The manner and method of exercising the rights and per-~~

~~forming the responsibilities, duties and functions provided for under articles 54 and 90 of chapter 72 of Kansas Statutes Annotated shall be governed by the terms of the charter under which a charter school is operated.~~

New Sec. 8. (a) The state board of education shall provide, upon request, any school building or school district employees group, any educational services contractor, and any other person or entity with technical advice and assistance regarding the establishment and operation of a charter school or the preparation of a petition requesting authorization of a board of education for the establishment and operation of such a school.

(b) At the conclusion of each school year in which a charter school is operated in a school district, the board of education of the school district shall evaluate the impact the charter school has had on the educational system of the district and shall submit the evaluation to the state board of education. The state board shall review, assess and compile the evaluations of charter schools submitted by boards of education and shall submit the compilation of evaluations and other relevant material, including specification of school district and state board waivers granted with respect to the operation of each charter school, to the governor and the legislature.

~~Sec. 9. K.S.A. 72-5410 is hereby amended to read as follows: 72-5410. As used in this act: (a) "Teacher" shall mean and include teachers, supervisors, principals, superintendents and any other professional employees who are required to hold a teacher's or school administrator's certificate in any public school, except that the term teacher shall not mean any professional employee who is participating in the operation of a charter school.~~

~~(b) "Governing body" and "board of education" shall mean the board of education of any public school district.~~

~~Sec. 10. K.S.A. 72-5413 is hereby amended to read as follows: 72-5413. As used in this act and in acts amendatory thereof or supplemental thereto:~~

~~(a) The term "persons" includes one or more individuals, organizations, associations, corporations, boards, committees, commissions, agencies, or their representatives.~~

~~(b) "Board of education" means the board of education of any school district, the board of control of any area vocational-technical school, and the board of trustees of any community college.~~

~~(c) "Professional employee" means any person employed by a board of education in a position which requires a certificate issued by the state board of education or employed by a board of education in a professional, educational or instructional capacity, but shall not~~

(c) The contract of employment of any employee of a school district who is participating in the operation of a charter school shall not be terminated or nonrenewed on the basis of nonrenewal or revocation of the charter of the school or on the basis of a decision by the employee to discontinue participation in the operation of the school. Any such employee shall be returned, upon discontinuation of participation in the operation of a charter school, to the position in which the employee was serving at the time of commencing participation in the operation of the charter school or to a like position.

1 mean any such person who is an administrative employee or any
2 such person who is participating in the operation of a charter school.

3 (d) "Administrative employee" means, in the case of a school
4 district, any person who is employed by a board of education in an
5 administrative capacity and who is fulfilling duties for which an ad-
6 ministrator's certificate is required under K.S.A. 72-7513, and
7 amendments thereto; and, in the case of an area vocational-technical
8 school or community college, any person who is employed by the
9 board of control or the board of trustees in an administrative capacity
10 and who is acting in that capacity and who has authority, in the
11 interest of the board of control or the board of trustees, to hire,
12 transfer, suspend, layoff, recall, promote, discharge, assign, reward
13 or discipline other employees, or responsibly to direct them or to
14 adjust their grievances, or effectively to recommend a preponderance
15 of such actions, if in connection with the foregoing, the exercise of
16 such authority is not of a merely routine or clerical nature, but
17 requires the use of independent judgment.

18 (e) "Professional employees' organizations" means any one or
19 more organizations, agencies, committees, councils or groups of any
20 kind in which professional employees participate, and which exist
21 for the purpose, in whole or part, of engaging in professional ne-
22 gotiation with boards of education with respect to the terms and
23 conditions of professional service.

24 (f) "Representative" means any professional employees' organi-
25 zation or any person it authorizes or designates to act in its behalf
26 or any person a board of education authorizes or designates to act
27 in its behalf.

28 (g) "Professional negotiation" means meeting, conferring, con-
29 sulting and discussing in a good faith effort by both parties to reach
30 agreement with respect to the terms and conditions of professional
31 service.

32 (h) "Mediation" means the effort through interpretation and ad-
33 vice by an impartial third party to assist in reconciling a dispute
34 concerning terms and conditions of professional service which arose
35 in the course of professional negotiation between a board of education
36 or its representatives and representatives of the recognized profes-
37 sional employees' organization.

38 (i) "Fact-finding" means the investigation by an individual or
39 board of a dispute concerning terms and conditions of professional
40 service which arose in the course of professional negotiation, and
41 the submission of a report by such individual or board to the parties
42 to such dispute which includes a determination of the issues involved,
43 findings of fact regarding such issues, and the recommendation of

6-1

1 the fact-finding individual or board for resolution of the dispute.

2 (j) "Strike" means an action taken for the purpose of coercing a
3 change in the terms and conditions of professional service or the
4 rights, privileges or obligations thereof, through any failure by con-
5 certed action with others to report for duty including, but not limited
6 to, any work stoppage, slowdown, or refusal to work.

7 (k) "Lockout" means action taken by a board of education to
8 provoke interruptions of or prevent the continuity of work normally
9 and usually performed by the professional employees for the purpose
10 of coercing professional employees into relinquishing rights guar-
11 anteed by this act and the act of which this section is amendatory.

12 (l) "Terms and conditions of professional service" means (1) sal-
13 aries and wages, including pay for duties under supplemental con-
14 tracts; hours and amounts of work; vacation allowance, holiday, sick,
15 extended, sabbatical, and other leave, and number of holidays; re-
16 tirement; insurance benefits; wearing apparel; pay for overtime; jury
17 duty; grievance procedure; including binding arbitration of griev-
18 ances; disciplinary procedure; resignations; termination and nonre-
19 newal of contracts; reemployment of professional employees; terms
20 and form of the individual professional employee contract; proba-
21 tionary period; professional employee appraisal procedures; each of
22 the foregoing being a term and condition of professional service,
23 regardless of its impact on the employee or on the operation of the
24 educational system; and (2) matters which relate to privileges to be
25 granted the recognized professional employees' organization includ-
26 ing, but not limited to, voluntary payroll deductions; use of school
27 or college facilities for meetings; dissemination of information re-
28 garding the professional negotiation process and related matters to
29 members of the bargaining unit on school or college premises through
30 direct contact with members of the bargaining unit, the use of bul-
31 letin boards on or about the facility, and the use of the school or
32 college mail system to the extent permitted by law; reasonable leaves
33 of absence for members of the bargaining unit for organizational
34 purposes such as engaging in professional negotiation and partaking
35 of instructional programs properly related to the representation of
36 the bargaining unit; any of the foregoing privileges which are granted
37 the recognized professional employees' organization through the pro-
38 fessional negotiation process shall not be granted to any other pro-
39 fessional employees' organization; and (3) such other matters as the
40 parties mutually agree upon as properly related to professional serv-
41 ice. Nothing in this act, or acts amendatory thereof or supplemental
42 thereto, shall authorize the diminution of any right, duty or obligation
43 of either the professional employee or the board of education which

1 have been fixed by statute or by the constitution of this state. Except
2 as otherwise expressly provided in this subsection, the fact that any
3 matter may be the subject of a statute or the constitution of this
4 state does not preclude negotiation thereon so long as the negotiation
5 proposal would not prevent the fulfillment of the statutory or con-
6stitutional objective. Matters which relate to the duration of the
7 school term, and specifically to consideration and determination by
8 a board of education of the question of the development and adoption
9 of a policy to provide for a school term consisting of school hours,
10 are not included within the meaning of terms and conditions of
11 professional service and are not subject to professional negotiation.

12 (m) "Secretary" means the secretary of human resources or a
13 designee thereof.

14 (n) "Statutory declaration of impasse date" means June 1 in the
15 current school year.

16 (o) "Supplemental contracts" means contracts for employment du-
17 ties other than those services covered in the principal or primary
18 contract of employment of the professional employee and shall in-
19 clude, but not be limited to, such services as coaching, supervising,
20 directing and assisting extracurricular activities, chaperoning, ticket-
21 taking, lunchroom supervision, and other similar and related activ-
22 ities.

23 Sec. 11. K.S.A. 72-5436 is hereby amended to read as follows:
24 72-5436. As used in this act: (a) "Teacher" means any professional
25 employee who is required to hold a certificate to teach in any school
26 district, and any teacher or instructor in any area vocational-technical
27 school or community college. The term "teacher" does not include
28 within its meaning any supervisors, principals or superintendents or
29 any persons employed under the authority of K.S.A. 72-8202b, and
30 amendments thereto, or any persons employed in an administrative
31 capacity by any area vocational-technical school or community col-
32 lege, or any persons participating in the operation of a charter
33 school.

34 (b) "Board" means the board of education of any school district,
35 the board of control of any area vocational-technical school and the
36 board of trustees of any community college.

37 Sec. 12. K.S.A. 72-9002 is hereby amended to read as follows:
38 72-9002. As used in this act:

39 (a) "Board" means the board of education of a school district,
40 the governing authority of any nonpublic school offering any of grades
41 kindergarten through 12 in accredited schools, the board of control
42 of an area vocational-technical school, and the board of trustees of
43 a community college.

1 ~~(b) "State board" means the state board of education.~~

2 (c) "Employees" means all certificated employees of school dis-
3 tricts and, *except certificated employees who are participating in the*
4 *operation of a charter school, all certificated employees* of nonpublic
5 schools, all instructional and administrative employees of area vo-
6 cational-technical schools and all full-time employees of community
7 colleges.

8 (d) "Full-time employees of community colleges" means instruc-
9 tional and administrative employees who are under contract for serv-
10 ices to a community college for a term of not less than nine months
11 and whose services to a community college are considered their
12 principal employment.

13 (e) "School year" means the period from July 1 to June 30.

14 ~~(f) "Accredited" means accredited by the state board.~~

15 Sec. 13] K.S.A. 72-9901 is hereby amended to read as follows:

16 72-9901. As used in this act:

17 (a) "Board" means the board of education of any school district.

18 (b) "School district" means any public school district organized
19 and operating under the laws of this state.

20 (c) "Educational excellence grant program" or "program" means
21 a program under which the state, for the purpose of promoting
22 excellence in education, provides assistance through the award of
23 grants of state moneys to school districts which develop and maintain
24 educational system enhancement plans or at risk pupil assistance
25 plans or both such plans.

26 (d) "Educational system enhancement plan" or "enhancement
27 plan" means a plan which is developed and maintained by the board
28 of a school district for the purpose of improving the educational
29 system of the school district. The plan may encompass, but not by
30 way of limitation, such measures as identification of goals and needs,
31 formulation of priorities and objectives, evaluation and enrichment
32 of curriculum and instructional program, examination and refinement
33 of delivery methods, engagement in research and planning activities,
34 exploration and implementation of innovative and experimental pro-
35 cedures and activities, development of more effective instructional
36 materials and techniques, enhancement of staff development and
37 inservice education programs, exploration of ways and means of form-
38 ing school-business partnerships and formation of such partnerships,
39 formulation and introduction of before or after school sessions or
40 both before and after school sessions for the purpose of affording
41 pupils an opportunity to strengthen basic skills or participate in
42 curriculum enrichment activities, and development and installation
43 of action plans for general improvement of pupil attitudes and

1 achievement, and establishment or enhancement and operation of
2 charter schools.

3 (e) "At risk pupil assistance plan" or "assistance plan" means a
4 plan which is developed and maintained by the board of a school
5 district for the specific purpose of addressing the needs of at risk
6 pupils of the school district. The plan may encompass, but not by
7 way of limitation, such measures as remedial instruction, intensive
8 guidance and counseling services, child care services, independent
9 study assistance, strategies for provision of the opportunity to com-
10 plete requirements for grade level promotion or graduation from
11 high school, and instruction in parenting, consumer, work and other
12 life skills.

13 (f) "At risk pupil" means any person who is enrolled in preschool,
14 kindergarten or any of the grades one through 12 maintained by a
15 school district and who is at risk of not meeting the educational
16 goals and objectives established by the school district or of not
17 completing the requirements necessary for promotion to grade level,
18 grade-to-grade promotion, or graduation from high school or of not
19 becoming a productive worker and citizen. At risk pupils may be
20 characterized, but not by way of limitation, by any one or more of
21 the following indicators: (1) A high rate of absenteeism from school
22 attendance; (2) failure to achieve grade-level standards; (3) failure in
23 two or more subjects or courses of study; (4) two or more credits
24 behind other pupils in modal grade in the number of graduation
25 credits attained; (5) retention at grade level one or more times; (6)
26 below modal grade for pupils in the same age group; (7) pregnancy
27 or parenthood or both; (8) repeated commission of any of the dis-
28 ciplinary infractions specified in K.S.A. 72-8901, and amendments
29 thereto, whether or not such conduct resulted in a suspension or
30 expulsion from school. The definition of at risk pupil does not include
31 within its meaning any person determined to be an exceptional child
32 under the provisions of the special education for exceptional children
33 act.

34 (g) "State board" means the state board of education.

35 Sec. 14. K.S.A. 72-9903 is hereby amended to read as follows:

10 36 72-9903. (a) The state board shall adopt rules and regulations for the
37 administration of this act and shall:

38 (1) Establish standards and criteria for reviewing, evaluating and
39 approving educational system enhancement plans, at risk pupil as-
40 sistance plans, and applications of school districts for grants;

41 (2) prescribe and adopt criteria for identification of at risk pupils;

42 (3) establish standards and criteria for measures which may be
43 encompassed by enhancement plans and assistance plans;

1 (4) approve educational system enhancement plans and at risk
2 pupil assistance plans for the award of grants of state moneys;

3 (5) establish funding priorities for determining the amount of
4 grants of state moneys to school districts which are maintaining
5 approved enhancement plans or assistance plans or both such plans;

6 (6) be responsible for awarding, on the basis of evaluation of
7 plans and according to established funding priorities, grants of state
8 moneys to school districts; and

9 (7) request of and receive from each school district which is
10 participating in the educational excellence grant program reports
11 containing information with regard to the overall effectiveness of the
12 plan or plans in improving the educational system of the school
13 district.

14 (b) In evaluating enhancement plans and establishing funding
15 priorities for the award of grants of state moneys to school districts,
16 the state board shall consider:

17 (1) Comprehensiveness of the plan;

18 (2) level of effort exhibited by the school district in the devel-
19 opment and maintenance of the plan;

20 (3) integrality of the plan to the educational system of the school
21 district;

22 (4) aggressiveness of the school district in the exploration of ways
23 and means of forming school-business partnerships and success in
24 the formation of such partnerships;

25 (5) endeavors of the school district to enter into cooperative or
26 interlocal cooperation agreements with other school districts for the
27 joint development and maintenance of a plan in order to effect cost
28 savings and efficiency in achieving the purposes of the plan; and

29 (6) potential of the plan for contributing to successful effectuation
30 of the purpose of the program.

31 (c) In evaluating assistance plans and establishing funding pri-
32 orities for the award of grants of state moneys to school districts,
33 the state board shall consider:

34 (1) The dropout rate of the school district;

35 (2) the number and percentage of pupils of the school district
36 who have been identified as at risk pupils;

37 (3) level of effort exhibited by the school district in providing
38 assistance to at risk pupils in past years;

39 (4) the evaluation procedure designed to measure the effective-
40 ness of the school district assistance plan;

41 (5) the potential effectiveness of the plan in meeting the specific
42 needs of at risk pupils; and

43 (6) endeavors of the school district to enter into cooperative or

1 interlocal cooperation agreements with other school districts for the
2 joint development and maintenance of a plan in order to effect cost
3 savings and efficiency in achieving the purposes of the plan.

4 (d) *In performing its duties under subsection (b), the state board*
5 *shall give preferential consideration to plans encompassing the es-*
6 *tablishment or enhancement and operation of charter schools that*
7 *principally target at risk pupils.*

11 8 Sec. 18. K.S.A. ~~72-5410, 72-5413, 72-5430, 72-9002~~ 72-9901 and
9 72-9903 are hereby repealed.

12 10 Sec. 18. This act shall take effect and be in force from and after
11 its publication in the statute book.

7-14

Proposed Amendment to Senate Bill 586
(As Amended by Senate Committee of the Whole)

On page 4, in line 29, after "board", by inserting "and subject to specific authorization by act of the legislature"; also in line 29, by striking "Such"; in line 30, by striking "standards" and inserting "Standards adopted by the state board for approval of the establishment of a technical college";

On page 5, in line 41, after "proposal", by inserting "and make a report thereon to the legislature"; in line 42, by striking "issue an order establishing" and inserting "recommend establishment of"; in line 43, after "college", by inserting "to the legislature"

House Education
March 22, 1994
Attachment 2

Proposed Amendment to Senate Bill No. 586
(As Amended by Senate Committee of the Whole)

On page 4, in line 25, after the period, by inserting "General education courses of instruction shall not be taught by a technical college, but shall be provided for by the technical college under an agreement with a community college, municipal university or state educational institution.";

On page 6, following line 30, by inserting a new paragraph as follows:

"(3) to enter into agreements with community colleges, a municipal university, or the state educational institutions for provision of the general education courses of instruction that will be required under the associate of applied science degree programs of the college;"

Also on page 6, in line 31, by striking "(3)" and inserting "(4)"; in line 36, by striking "(4)" and inserting "(5)"

House Education
March 22 1994
Attachment 3