MINUTES OF THE SENATE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Senator Dwayne Umbarger at 1:40 p.m. on February 19, 2001 in Room 123-S of the Capitol.

All members were present except:

Committee staff present:

Avis Swartzman, Revisor of Statutes

Ben Barrett, Legislative Research Department Carolyn Rampey, Legislative Research Department

Judy Steinlicht, Secretary

Conferees appearing before the committee: Dr. Joe Birmingham, Deputy Exec. Director, Kansas Board

of Regents

Mark Desitti, KNEA Christy Levings, KNEA

Ben Barrett, Legislative Research Department

Avis Swartzman, Revisor of Statutes

Dale Dennis, Deputy Commissioner, State Board of Education

Others attending:

See Attached List

SB11--Vocational education, supervision of programs

Dr. Joe Birmingham, Deputy Executive Director of the Kansas Board of Regents, gave testimony in favor of SB11. This bill has to do with the Carl D. Perkins Vocational and Technical Education Act of 1998. The bill specifies that the State Board of Education would be responsible for the program until June 30, 2004 and beginning July 1, 2004, the State Board of Regents would be responsible for the program. The two agencies have worked together and have developed a Memorandum of Agreement to assign responsibility for secondary and postsecondary technical education, respectively to each board. Both Boards have recommended an amendment to KSA 72-4421, deleting paragraph C. (Attachment 1)

Concern was expressed about the affect the amendment would have on the bill on the secondary part of this program. Dr. Birmingham stated that the secondary program is not affected at all by the amendment. This bill is simply two boards entering into an agreement relative to vocational education services. When the two boards enter into an agreement to provide service for secondary students to take the curriculum, it is felt that it is unnecessary for that agreement between the two boards to go to a higher level. Staff reported that the statute refers to boards of districts and not necessarily between a school district board and a board of post-secondary institution. The provisions for these agreements were required under the Federal Act, and the staff did not know if the Carl Perkins Act has changed that or not.

Senator Vratil recommended that given the doubt about whether this amendment would be authorized by Federal law, the Committee should not include the proposed amendment in the bill until we can find out whether and how Federal law impacts it. There was no further discussion. A motion was made by Senator Vratil to pass SB11 without the amendment. Seconded by Senator Downey. Motion carried.

Read Across America

Mark Desetti and Christy Levings, KNEA gave a presentation on the Read Across America Program. All Senators were given a story book. Mark recommended that they take the book back to their respective districts and read it to students and donate it to the school.

February 19, 2001

SB161-- School districts, policies relating to the use of credit or debit cards

Avis Swartzman, Revisor of Statutes, explained K.S.A. 75-3321 as a result of questions that arose from Mr. Michael Byington's request for an amendment on **SB161**. (Attachment 2) She sees no way that **SB161** would exempt school districts from the requirements in these sections. There is still concern about schools paying interest on credit cards. It is up to the Boards of Education to set the rules. **SB161** has been amended to delete all references to debit cards in Section 1. (Attachment 3)

Senator Vratil explained the Amendment to **SB161**. Section 1 of this bill generally authorized a Board of Education to acquire and to authorize the use of credit cards, not debit cards for school district employees. The first amendment deletes the language about adopting a policy only at the organizational meeting in July. The thought was that they should not be restricted to adopting policies at only one meeting each year. The large deletion eliminates the requirements that they establish a special fund. Line 40 on the first page, the provision is unnecessary because under Kansas law a board can amend or repeal any policy that it adopts. On page two, the word "shall" is changed to "may" so that the board would have the discretionary authority to impose an additional fee to recover costs of accepting debit or credit for payment of fees. The last amendment is to make it effective upon publication of the Kansas Register. Senator Vratil announced that Dale Dennis just advised the Committee that there is a Kansas prompt payment law that requires schools to pay their debts within 30 days after receiving an invoice.

Senator Teichman made a motion to pass **SB161** as amended by Senator Vratil. Motion was seconded by Senator Downey. Motion carried.

Ben Barrett brought information to the Committee in response to a question raised by Senator Hensley in Committee on February 15, 2001. Ben explained his handout regarding the school funding proposal. (Attachment 4)

Senator Downey presented information regarding the amount of dollars allocated to low enrollment and correlation weighting. (Attachment 5)

Dale Dennis provided information requested by the Committee and explained it briefly. It shows the 2000-01 general fund budget, the 2001-02 general fund budget under current law, and the proposed plan. This information will be on file in Senator Umbarger's office and the State Department of Education.

A motion to accept the minutes for February 6, 7, 8 and 12th was made by Senator Oleen. Seconded by Senator Vratil. Motion carried.

Meeting was adjourned at 2:30 p.m. The next meeting is scheduled February 20, 2001 at 1:30 p.m.

SENATE EDUCATION COMMITTEE GUEST LIST DATE - 2 4 9 - 0 1

NAME	REPRESENTING
Christy Levings	Kansus NEA
Mark Desetti	KNEA
Doug Bowman	KS Coordinating Councilor Childhood
JANIS MC MILLER	LEAGUEY WOMEN VOTERS- KANTAS
LINDSAY UNREIN	Governor's Office)
Don M Rezac	451 32/
Alex Kotzyantz	KS. Academy of Science
Dowald KNOWLES	U.S.A.
DICK CARTER JR	KBOR
Joe BirminGHAM	KBOR
Craig Grant	HNEA
Jim Allen	KEC & KFLC
Es O'Malley	O.P. Chamber
Josio Torrez	KCRD
JEFF GUSLDEINE	STEARER PROTEIN'S OFFICE
CORRIE KANGAS	SEN. BROWNLEE
Jorque Cale	SQE
BOD LYON	
Satruk Herley	KEC IKO
Bill Bray	Schools for Fair Fruding
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Testimony Regarding Senate Bill 11 and Related Amendment to K.S.A. 72-4421(c) By Joe Birmingham, Deputy Executive Director, Kansas Board of Regents

Mr. Chairman,

Thank you for the opportunity to speak briefly about SB 11, which was introduced to the committee at an earlier meeting. SB 11 relates to supervision of the Carl D. Perkins Vocational and Technical Education Act of 1998. The bill proposes that the Kansas State Board of Education be the sole agency for the program through June 30, 2004, and that the Kansas Board of Regents become the sole agency for the program on July 1, 2004 and thereafter. The two boards support this bill and have developed a Memorandum of Agreement to assign responsibility for secondary and postsecondary technical education, respectively to each board.

In addition, both Boards have requested an amendment that relates to K.S.A. 72-4421(c). This statute requires that boards, as defined in the law, create an agreement between the boards when vocational education services are to be provided by one institution for another. In addition, the law requires that such agreements be approved by the state board of education. Both state boards have reviewed the requirement for state board approval and believe that it serves no useful purpose. In addition, since the Kansas Board of Regents now supervises postsecondary institutions, there is no reason for the State Board of Education to be approving agreements for postsecondary institutions. Similarly, in the future when the Kansas Board of Regents is the approving agency, there is no reason for it to be approving agreements for secondary school districts. In summary, we believe this is a technical change to eliminate a requirement that serves no useful purpose and would reduce the steps required for approval of vocational education agreements between and among institutions.

H/leg/testimony SB 11

Senate Education Committee Date: 2-19-01

Attachment #

72-4421

Chapter 72.--SCHOOLS Article 44.--VOCATIONAL EDUCATION

- **72-4421.** Agreements between boards authorized; conditions; terms; financing; approval; modifications; property ownership and disposition. Any board may enter into a vocational education agreement with any other board or boards, subject to the following:
- (a) Such agreement shall be for a term of at least three years but not exceeding five years.
- (b) Such agreement shall be subject to change or cancellation by the legislature at any time in accordance with article 6, section 5 of the constitution of Kansas.
- (c) Such agreement shall be approved by the state board before the same has any force or effect.
- (d) Such agreement may provide for payment between boards of moneys for vocational education tuition or fees, or for establishing, conducting, maintaining or administering an area vocational school or any vocational education course or program.
- (e) Such agreement may provide that the tuition of students enrolled in any of the contracting districts, when such students attend a vocational education course or program not offered in one of the contracting districts, shall be paid by the board receiving funds under this agreement.
- (f) Such agreement may provide that certain vocational education courses or programs will be offered only in certain districts.
- (g) Such agreement may provide that certain vocational education courses or programs are to be contracted for under conditions specified in the agreement.
- (h) Such agreement shall make appropriate provision for modification thereof in the event of cancellation, discontinuance or disapproval of any course or program by the state board, whether the same constitutes a loss of current designation as an area vocational school or not.
- (i) Such agreement shall provide that the board owning or having jurisdiction over physical facilities used for vocational education shall retain the ownership of or jurisdiction over such physical facilities; however, such agreement may provide for the use of such physical facilities during the term of the agreement or a shorter period of time. Any agreement under this section may provide for a different method of ownership or disposition of real or personal property or interest therein, if such provision has received the prior approval of the state board and the attorney general.

History: L. 1969, ch. 318, § 11; L. 1985, ch. 241, § 5; L. 1999, ch. 147, § 105; July 1.

certified by the director of purchases. The secretary of social and rehabilitation services shall amend such list from time to time in accordance with the recommendations of the director of pur-

(c) The secretary of social and rehabilitation services may charge a reasonable publication fee to those rehabilitation facilities which advertise their products or services on such lists. The secretary of social and rehabilitation services shall remit all moneys received pursuant to this section to the state treasurer at least monthly. Upon receipt of such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury and credit the same to the social welfare

History: L. 1953, ch. 392, § 4; L. 1972, ch. 327, § 4; L. 1979, ch. 288, § 4; L. 1985, ch. 281, § 3; L. 1987, ch. 340, § 1; L. 1988, ch. 301, § 26;

75-3321. Same; purchase of products or services by state or school district. The director of purchases and any person or officer authorized to purchase materials and supplies for any state agency or unified school district or to purchase services for any state agency shall purchase, except as otherwise provided in this section, the products and services on the list certified by the director of purchases from the Kansas industries for the blind division and rehabilitation services or from a rehabilitation facility, when those products are to be procured by or for the state or unified school district or when those services are to be procured by or for the state. Services offered for purchase are not required to be purchased by a unified school district.

History: L. 1953, ch. 392, § 5; L. 1972, ch. 327, § 5; L. 1979, ch. 288, § 5; L. 1985, ch. 281, § 4; L. 1988, ch. 301, § 27; July 1.

75-3322. Same; waiver of mandatory purchase requirements by secretary of social and rehabilitation services, when. Whenever the Kansas industries for the blind division and rehabilitation services and rehabilitation facilities are unable to supply the products or services needed or are unable to meet delivery requirements on any order or requisition, a written waiver shall immediately be forwarded to the director of purchases or purchasing officer of the unified school district by the secretary of social and rehabilitation services or the secretary's des-

ignee and that waiver shall relieve and exempt the state or unified school district purchasing authority from the mandatory provisions of K.S.A. 75-3317 to 75-3322, inclusive, and amendments thereto, in the case of the specific order, request or requisition.

History: L. 1953, ch. 392, § 6; L. 1972, ch. 327, § 6; L. 1979, ch. 288, § 6; L. 1985, ch. 281, § 5; July 1.

75-3323. Lease of certain state land to wheatbelt area girl scout council of Kansas, inc.; conditions and restrictions; expiration of lease, conveyance, reverter clause. (a) The secretary of social and rehabilitation services is hereby authorized and empowered, upon the conditions hereinafter provided, to lease, for a term not exceeding 20 years, by proper written instrument, upon behalf of the state of Kansas, signed by the secretary of social and rehabilitation services and approved by the attorney general and the director of purchases of the department of administration of the state of Kansas, unto the wheatbelt area girl scout council of Kansas, inc. the following described tract or parcel of land located in Pawnee county, Kansas, containing approximately 42.93 acres, more or less, and being a part of the Larned state hospital grounds in such county and state, and more definitely described as

follows, to wit:

A tract of land lying within the southwest quarter (SW1/4) of section thirty-five (35), township twenty-one (21) south, and the northwest quarter (NW1/4) of section two (2), township twenty-two (22) south, both range seventeen (17) west of the 6th P.M. in Pawnee county, Kansas, described as follows, to wit: Commencing at a point on the southern end of a line whose approximate bearing is S 5°15' east, and whose northern end lies 525 feet east of the west quarter section corner of section 35, and whose southern end lies 2841.5 feet southeast of the east and west quarter section line of section 35 (this southern point being the southeast corner of the present boy scout camp and lies approximately 825 feet east of the west line of section 2 and approximately 200 feet south of the south line of section 35) for a place of beginning; thence northeast on a line having an interior angle of 54°21' for a distance of 1165 feet to a point 3½ feet east of a drain ditch bank; thence northwest on a line having an interior angle of 101°47' for a distance of 420 feet to a point 15" east of same drain ditch bank; thence northwest on a line having an interi-330 feet to a bank; thence rior angle of a point 3½ thence north 162°23' for a east and we thence west a distance c east of the 35); thence the present for a distance for the pur ducting can trained car America. S thorizing tl reserving a and a tern lands ever purposes a set forth in and becor thereof sh Kansas. N lating to t poses, the portion of ter for an costs of such land and the vided to which is or the le county to appropri: ers.

(b) [pursuant and reha such tra Pawnee deemed missione clause t cease to poses sh thereto shall re

Senate Education Committee Date: 2-19-01

Attachment #

SENATE BILL No. 161

By Senator Gilstrap

1-30

AN ACT concerning school districts; authorizing boards of education to adopt policies relating to the use of credit or debit cards.

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

Section 1. (a) The board of education of any school district, pursuant to a policy developed and adopted by the board at its organizational meet ing in July of each school year may provide for the acquisition of credit er debit cards in the name of the school district for use by designated officers and employees of the school district. The policy shall prescribe limitations and restrictions on the use of such credit er debit cards and on the amounts and categories of expenses which may be paid through use of such credit er debit cards. The policy shall provide for establish ment of a special fund from which expenditures for payment of charge incurred by the school district through use of credit or debit carde shall be made, authorize an officer or employee of the school district to administer the special fund, and designate an amount of moneys to be maintained in the fund. The officer or employee authorized to administer the fund shall keep a record of all receipts and expenditures from the fund, and from time to time, and at the end of each school year, shall prepare a report for the board of educationshowing all receipts, expenditures, and the balance in the fund. If the board of education is satisfied with the reports, the board may authorize replenishment of the special fund from other funds of the district, as appropriate. The special fund shall be kept separate from all other funds and be used only for authorized expenditures and itemized receipts shall be taken for each expenditure. All officers or employees entrusted with the administration of a special fund established under authority of this section shall be bonded by the school district.

(b) The provisions and restrictions of the cash basis and budget laws of this state shall not apply to the provisions of this section in any manner so as to prevent the intention of this section from being made effective.

(c) Any policy developed and adopted by a board of education under authority of this section is subject to modification, amendment or repeal by subsequent action of the board.

Sec. 2. The board of education of any school district, pursuant to a

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policy developed and adopted by the board, may provide for the acceptance of payment in the form of a credit or debit card of fees, tuition or other charges imposed by the school district. The policy chall provide for may imposition of an additional fee to recover the actual amount of any costs incurred by the school district by reason of the method of payment used. The policy also may provide for establishment by the school district of secure internet sockets that will allow payment by a credit or debit card via the internet. Any transactions involving payment by credit card pursuant to this section shall not be subject to the provisions of K.S.A. 16a-10 2-403, and amendments thereto. 11 Sec. 3. This act shall take effect and be in force from and after its publication in the statute book Kansas register

SENATE COMMITTEE ON EDUCATION

This responds to Senator Hensley's question at the Committee's February 15 meeting.

The school funding proposal presented set BSAPP at \$3,910 in FY 2002, \$4,000 in FY 2003, and \$4,090 in FY 2004.

Using the FY 2002 BSAPP of \$3,910 and, assuming a CPI-U adjustment for FY 2003 and 2004 based upon the CPI-U increase in calendar years 2001 and 2002, respectively, the BSAPP would be:

	FY 2003	FY 2004
New O. 2000 Community Estimates*	£4.010	¢4.110
Nov. 3, 2000 Consensus Estimates*	\$4,019	\$4,119
January 2001—Standard and Poor's DRI**	4,012	4,084

^{*} CPI-U-2.8% in calendar year 2001 and 2.5% in calendar Year 2002.

Senate Education Committee Date: 2 - 19 - 0 |

Attachment # 4

^{**} CPI-U—2.6% in calendar year 2001 and 1.8% in calendar Year 2002.



Kansas State Department of Education

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

February 16, 2001

TO:

Senator Christine Downey, Room 126-S

FROM:

Dale M. Dennis, Deputy Commissioner

Department of Education

SUBJECT:

Estimated Low Enrollment and Correlation Weighting

I am responding to your question about the amount of dollars allocated to low enrollment and correlation weighting.

Based upon the 2000-01 student enrollment count, the following information relates to the average amount per pupil for these two categories. Listed below are the projected numbers:

	Total Students* 9/20/00	Total Amount <u>of Dollars</u>	Average Amount <u>Per Pupil</u>
Correlation Weighting	309,757	\$ 74,795,982	\$ 242
Low Enrollment Weighting	138,168	\$ 226,435,084	\$ 1,639

^{*} unaudited

I hope this information is helpful. If I can answer any questions, please feel free to call me.

School Finance 785-296-3871 (phone) 785-296-7933 (fax) 785-296-6338 (TTY) www.kspe.state.ks.us Senate Education Committee
Date: 2 19-01

Attachment # 5