

## MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 1:34 p.m. on February 12, 2004 in Room 123-S of the Capitol.

All members were present:

Committee staff present:

Kathie Sparks, Legislative Research  
Theresa Kiernan, Office of the Revisor of Statutes  
Judy Steinlicht, Committee Secretary

Conferees appearing before the committee:

Dale Dennis, Deputy Commissioner, State Department of Education  
Jesus (Jesse) Bernal, USD #457 Garden City - Milken Family Foundation Award Winner  
Charles (Charlie) Jenney, USD #259, Wichita - Milken Family Foundation Award Winner  
Pat Terry, USD #385, Andover & Chairman of United School Administrators (USA) School Finance Task Force  
Kathy Cook, Kansas Families United for Public Education  
Dr. Ray Daniels, Superintendent of USD 500, Kansas City, KS  
Theresa Kiernan, Revisor of Statutes

Others attending:

See Attached List

### **Milken Family Foundation National Educators Awardees**

Dale Dennis, Deputy Commissioner, State Department of Education introduced the two Milken Family award winners for 2004, Jesse Bernal from USD #457 Garden City and Charlie Jenney, USD#259, Wichita.

Jesse Bernal shared that he grew up as a migrant worker in South Texas in a family of twelve. He dropped out of school in eleventh grade and traveled around the country for a few years. He returned to school, graduated, then served in US Army. He used the GI bill to go back to school. He became an RN and worked for 10 years and loved it, but he saw a big need for Spanish role models in the Garden City schools as his children were growing up. He went back to school traveling 100 miles every day to get his teaching degree. He has now taught for 15 years in Garden City. He teaches 9th to 12th grade Spanish 1 to Spanish 5. He told the story of Jose and how he relates to the students.

Charles Jenney said his experience growing up was almost totally opposite of Jesse's and found it exciting that they ended up the same. He told the committee that he was the fourth generation of a family of physicians. He decided he wasn't going to be a physician and went into consulting for 5 years traveling all over the country. When he married, he decided he wanted to be closer to home. His job again was forcing him to travel so went to work for the Chamber of Commerce in Elsmore, Kansas. He knew he wanted to serve his community and decided to go back to school to get his teaching degree. He is certified in biology, chemistry, math, and middle school general science. When he started teaching 7th & 8th grade, he taught 90 students a day and with budget cuts he now sees 160 students a day which prevents him from being in touch with each student. He shared a story of two students, one who was contemplating suicide and one who could not come to school every day because she and her sister shared a pair of shoes. This should not be happening in Kansas and the only way to get children like her out of this cycle is to give them a good education.

### **Hearings on SB403—Schools; school finance; education first plan**

Pat Terry, USD #385, Andover and Chairman of United School Administrators (USA) School Finance Task Force presented testimony supporting recommendations of the Legislature's study on the cost of a suitable education which proposes a base budget per pupil and supports an annual adjustment in the base which reflects the increased inflationary cost of providing basic services. USA believes increasing the state aid \$250 per pupil over 3 years is a step in the right direction. USA requests that the legislature fully fund the excess cost of special education services through the current categorical funding plan and they

## CONTINUATION SHEET

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recommend that a five-year average be used in determining the budgets of districts experiencing a decline in enrollment. USA will also support implementation of voluntary all-day kindergarten programs and adding a state aid component to Capital Outlay funding. USA believes **SB403** is a good first step in the right direction. (Attachment 1)

Kathy Cook, Kansas Families United for Public Education testified in support of the Governor's Education First plan. Kathy stated disappointment in the legislature's failure to offer an alternative plan and she said that failure gave them no choice but to support the Governor's plan and urged the committee to give this plan their approval. (Attachment 2)

Dr. Ray Daniels, Superintendent of USD 500, Kansas City, KS gave testimony in support of **SB403**. He believed the Governor's plan will be beneficial to all Kansas students. (Attachment 3)

Terry D. Holdren, Kansas Farm Bureau provided written comments regarding **SB403** and education in Kansas. They believe the increases in funding will ensure that children from the roughest of circumstance will have the opportunity to flourish. Providing health care for teachers by 2007 will encourage teachers and other professionals to continue their service to Kansas children. They are concerned about the impression that simply funding education at higher levels will naturally result in children who perform better on standardized testing. They also believe the decision to consolidate should be made at the local level. (Attachment 4)

### **HB2145—Postsecondary educational institutions, resident tuition and fees for certain noncitizen students**

Theresa Kiernan, Revisor of Statutes, explained two amendments in **SB302** that are not in **Sub HB2145**. 1.) A requirement that the individual would file an affidavit that the individual has or is taking steps to legalize his immigration status or to become a citizen of the U.S. and 2.) The provisions would not apply to any person who qualifies for tuition as a resident of another state.

Chairman Umbarger advised the committee that it was his desire to pass **HB2145** out of the committee without amendments. The bill was studied in an interim committee and these issues have been dealt with for almost 2 years. Chairman Umbarger would like to then pass **SB302** with the amendments and amend **SB302** into **HB2008**.

A motion remains on the floor from February 11, 2004. The motion to recommend **HB2145** favorably for passage was delayed due to discussion and it was the intention of the Chairman to deal with the bill at a meeting at the rail upon adjournment. The Senate session did not end until late that evening and the meeting at the rail was canceled leaving the motion on the floor. The motion was made by Senator Oleen, it was seconded by Senator Downey. Motion carried with 9 yeas and 2 nays.

Senator Teichman made a motion to recommend **SB302** favorably for passage with the amendments described by Theresa Kiernan today and to put the contents of **SB302** into **HB2008**. Seconded by Senator Downey. Motion carried with 10 yeas and 1 nay.

A motion was made by Senator Downey to approve the minutes for February 4 and February 5. Second by Senator Vratil. Motion carried.

Meeting adjourned at 2:30 p.m. The next meeting is scheduled for February 16, 2004.