

## MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:40 p.m. on February 11, 2008, in Room 123-S of the Capitol.

Committee members absent:

Committee staff present: Sharon Wenger, Kansas Legislative Research Department  
Carol Toland, Kansas Legislative Research Department  
Theresa Kiernan, Revisor of Statutes Office  
Matt Todd, Revisor of Statutes Office  
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Rochelle Chronister, Chairperson, 2010 Commission  
David A. Smith, Assistant to the Superintendent, Kansas City, Kansas  
Marylee Griffiths, Early Childhood Coordinator, Kansas City, Kansas  
Angela Lawrence, Superintendent, U.S.D. 482, Deighton  
Mary Baskett, Executive Director, Kansas Head Start Association  
Leadell Ediger, Executive Director, Kansas Association of Child Care Resource and Referral Agencies (KACCRA)  
Tawny Stottlemire, Kansas Association of Community Action Programs  
Katherine Kersenbrock-Ostmeyer, Northwest Kansas Educational Service Center  
Doug Bowman, Kansas Interagency Coordinating Council on Early Childhood Developmental Services

**SB 407 – Transfer of certain early childhood education programs to State Department of Education**

**SB 408 – Early childhood education programs; transfer of the administration of tiny-K early head start and the pre-K pilot to State Board of Education**

Theresa Kiernan, Revisor of Statutes Office, explained that, last year, a task force on K-12 recommended a study on the possibility of consolidating all of the early childhood programs into one department. As the bill moved along during the 2007 session, it was amended into **HB 2310**, and the Legislative Educational Planning Committee (LEPC) and the 2010 Commission were directed to study the possibility of either setting up a separate department for all the early childhood programs or transferring certain powers. After studying the topic in conjunction with each other, both the 2010 Commission and LEPC recommended that early childhood programs be transferred to the Department of Education. **SB 407** transfers the pre-K pilot, which is now under SRS and the Children's Cabinet, to the Department of Education. Early Head Start is also transferred from SRS to the Department of Education. With regard to **SB 408**, Ms. Kiernan explained that, under federal law, the Governor designates the lead agency for the tiny-K program. The Governor designated the Department of Health and Environment to be the lead agency for administering the tiny-K program. With the changes under **SB 408**, the Governor still retains the power to designate the lead agency. The bill would make those changes if the Governor changes the lead agency to the Department of Education.

Rochelle Chronister, Chairperson of the 2010 Commission, distributed copies of the Report of the 2010 Commission to the 2008 Legislature, which included the early childhood education issues addressed in **SB 407** and **SB 408**. (Attachment 1) She noted that a Legislative Post Audit study determined that, although there was competition for children for the programs in some areas, combining the programs would not be cost saving. Post Audit also found that many of the early childhood programs have specific rules they must follow as a result of federal funding. She went on to say that, after studying the structure of early childhood programs, the 2010 Commission came to the conclusion that education ought to be under the Department of Education in order to provide continuity to the programs. She emphasized that this decision was not an attempt to reduce any programs, but was an attempt to put logic into how the programs work together. The 2010 Commission then asked the groups involved in child care and day care programs for younger children

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that were not specifically education programs to meet with the Children's Cabinet and give them a suggested structure to work the programs into areas in the state where there are no programs. Both **SB 407** and **SB 408** address this issue.

David A. Smith, Assistant to the Superintendent of U.S.D. 500 (Kansas City, Kansas), testified in support of **SB 407** and **SB 408**. He commented that, in order to get all students to proficiency, it is critical that children get off to a strong beginning. His school district believes that the strongest early childhood education system emerges from a collaborative approach between the district, center-based providers, home-based providers, and other supporters of early learning. To that end, the district has developed a collaborative team over the years at the local level. The district strongly supports legislative efforts to consolidate early learning programs into the Department of Education because consolidation would eliminate duplication of efforts, and available resources could be used more efficiently. (Attachment 2)

Marylee Griffiths, Early Childhood Coordinator fo Kansas City, Kansas, public schools, testified in support of **SB 407**. She noted that Kansas City, Kansas, public schools became a recipient of a pre-K pilot grant two years ago and allowed several community agencies to collaborate in administering services to pre-school children. The schools have also been involved with the Kansas State Department of Education in the at-risk four-year-old program. She explained that funding for at-risk four-year-olds is verified by mid-June; however, funding for the pre-K pilot is verified in late July. The delay in notification creates difficulty in hiring qualified staff. However, collaboration between district and community-based sites has been united due to the pre-K pilot. In conclusion, Ms. Griffiths discussed positive results of placing the pre-K pilot under the Department of Education. (Attachment 3)

Angela Lawrence, Superintendent of U.S.D. 482 (Dighton), testified in support of **SB 407** and **SB 408**. She noted that recent brain research shows that children who attend high-quality pre-K programs are more likely to graduate from high school and less likely to require government assistance as adults. Believing that all children deserve to have an equal opportunity to an appropriate education regardless of their geographical location, her school district developed a comprehensive early childhood continuum of services. Because the schools are in a rural district, services for children ages 0-5 are not readily available. However, the district has made a conscious effort to provide and fund quality early childhood education services. In her opinion, both bills would provide better coordination of services and more equal opportunities for all children. (Attachment 4)

Mary Baskett, Executive Director of the Kansas Head Start Association, testified as a neutral conferee in regard to **SB 407**. She explained that the Kansas Early Head Start Program, which promotes healthy child development and family self-sufficiency, is a national model which has been frequently recognized for its quality, innovation, and impact on the broader early learning field. In considering a change in the lead agency, she urged the Committee to ensure that Kansas Early Head Start can maintain its comprehensive services, high-quality standards, strong relationships with child care programs and TNAF, and the ability to blend federal and state dollars effectively. (Attachment 5)

Leadell Ediger, Executive Director of the Kansas Association of Child Care Resource and Referral Agencies (KACCRRRA), testified as a neutral conferee in regard to **SB 407**. She discussed the following factors she felt should be considered when discussing the creation of a structure to meet the needs of Kansas children: (1) The Legislative Post Audit study which indicated that Kansas departments are generally coordinated, and there is no significant duplication, waste, fraud, and abuse; (2) Private early education providers were not included in the discussion regarding the change in governance; and (3) Added complexity will take time to understand and implement. In conclusion, she emphasized that, when considering a change in governance, legislators should not lose sight of making high-quality, voluntary, early childhood education available to every parent and child who wants to participate. (Attachment 6)

Tawny Stottlemire, Executive Director of the Kansas Association of Community Action Programs, testified in opposition to **SB 407**. She opposed the provision in Section 2 removing the Kansas Early Head Start Program from the Kansas Department of Social and Rehabilitation Services (SRS). She emphasized that Kansas Early Head Start already successfully coordinates and eliminates duplication of services, and she outlined several unanswered questions which she felt should be addressed before uprooting ten years of designed, intentional, and effective success in connecting Community Action programs with the Early Head

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Start Program and other SRS programs. ([Attachment 7](#))

Katherine Kersenbrock-Ostmeyer, Director of Special Education and Coordinator for Part C Early Special Education for the Northwest Kansas Educational Service Center, testified in support of **SB 408**. In summary, she supported the bill for the following reasons: (1) She strongly believes in the education of all children within one system of education; (2) With the Kansas State Department of Education (KSDE) routinely working with the U.S. Department of Education on other issues, a duplication of service within Kansas can be reduced; (3) The depth of information from an agency whose main focus is education makes a difference; (4) As a lead agency, KSDE would ease some of the red tape in the program administration and workload for special education programs; (5) Funding for most special education flows through KSDE, and streamlining the funds for federal dollars would best be managed at one source; (6) Placing Part C with KSDE will assure its position as an important part of the overall education process; and (7) KSDE has proven to be a true collaborative partner from the state to local level. ([Attachment 8](#))

Doug Bowman, Kansas Interagency Coordinating Council on Early Childhood Developmental Services, presented testimony on **SB 408** as a neutral conferee. He explained that the Council undertook an in-depth study on the topic of lead agency for Part C of IDEA in 2007 at the request of the Governor. The Council's recommendation to the Governor was to name SRS as lead agency, and federal law gives her the authority to designate the state lead agency for Part C of IDEA (tiny-K). The Council awaits her decision and stands ready to assist in any possible changes. In conclusion, Mr. Bowman noted that there is a strong consensus among Council members that the greatest challenge facing the state's tiny-K system continues to be inadequate funding. ([Attachment 9](#))

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for February 12, 2008, at which time the hearings on **SB 407** and **SB 408** will continue.

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