

Approved: 3-1-2000
Date

MINUTES OF THE SENATE EDUCATION COMMITTEE.

The meeting was called to order by Chairperson Senator Barbara Lawrence at 9:00 a.m. on February 21, 2000 in Room 123-S of the Capitol.

All members were present except: Senators Downey and Hensley - Excused

Committee staff present: Avis Swartzman, Revisor
Ben Barrett, Legislative Research Department
Jackie Breymeyer, Committee Secretary

Conferees appearing before the committee: Dr. Gary George, Olathe School District
John Koepke, Kansas Association of School Boards
Jackie Oakes, Schools for Quality Education
Craig Grant, Kansas National Education Association

Others attending: See Attached List

The meeting was called to order by Vice Chairperson Langworthy, who called for action on the minutes of January 28 & 31; February 2, 3, 7, 9, 10, 14, & 15. The minutes were approved on a motion by Senator Umbarger with a second by Senator Kerr.

SB 552 - conferring the power of home rule on boards of education

The Vice Chairperson called on Dr. Gary George, Olathe School District, to begin his testimony. Dr. George appeared in support of the bill and read through his testimony. ([Attachment 1](#))

In response to a question by one of the committee, Dr. George replied that the bill would let the school districts do things that they now have to constantly seek authority to do. The legislature would monitor the districts and if it was thought the districts were getting out of line, it could do things conceptually to take corrective action to remedy the problem.

John Koepke, Kansas Association of School Boards, submitted testimony in favor of the bill and urged the committee to grant the home rule power to local school districts that is already possessed by other local units of government such as cities and counties. This is an issue that hinders the ability of local school boards to adopt innovative programs and policies. ([Attachment 2](#)) He feels that it should be up to the schools boards to decide which decisions are in the best interests of the community.

Senator Bleeker, on a point of personal privilege, introduced a group from Leadership Great Bend. They stood up to be recognized and were welcomed by the Vice Chairperson.

Jackie Oakes, Schools for Quality Education, an organization of 115 small school districts, spoke in support of the bill and submitted her testimony. ([Attachment 3](#)) She stated if school boards had home rule power, they could meet their own responsibilities with less time and expense. This would return a measure of self-government and local control to elected people in the school districts who manage school business.

Avis Swartzman, Revisor, stated that a district cannot charge fees unless specifically authorized by an act of the legislature.

Chairperson Lawrence continued the meeting and called on Craig Grant, KNEA, to present his testimony. Mr. Grant stated he would present an amendment that would remove their policy opposition to the bill. He read the amendment on his testimony ([Attachment 4](#)) (H) "School Districts may not adopt policies that affect school employees (except administrative employees) unless authorized to do so by the legislature." He stated that this would take care of all situations, not just ones that are spoken to by the law. He is not sure the legislature can grant such home rule powers to local school boards. He mentioned the Peabody case and thought it would be the State Board of Education that could grant such home rule powers since it has self-executing authority for the policies that affect school districts.

The Chairperson closed the hearing on **SB 552** and called for discussion on the bill.

CONTINUATION SHEET

MINUTES OF THE SENATE EDUCATION COMMITTEE, Room 123-S Statehouse, at 9:00 a.m. on February 21, 2000.

Senator Oleen had a school bus situation she wanted the committee to consider as an amendment to the bill. It pertained to the ability of school districts to charge fees for picking up students who live less than two miles from a district. Senator Oleen stated she would make that into the form of a motion.

Senator Oleen moved to allow school districts to charge fees for picking up students who live less than two miles from a district. Vice Chairperson Langworthy gave a second to the motion.

Dale Dennis, Deputy Education Commissioner clarified that the mileage was 2 ½ instead of 2 miles.

Senator Oleen said she would stay with current law and make her motion 2 1/2 miles. This language has gone through both houses before, but died in conference committee.

Mr. Dennis clarified that it would be permissive to charge, but not required.

The motion carried.

Chairperson Lawrence called for action on the bill.

Senator Oleen moved to recommend **SB 552** favorably for passage as amended. Senator Langworthy gave a second to the motion. The motion carried.

The Chairperson turned the committee's attention to **SB 381 - professional service scholarships**. Paul West, fiscal analyst, distributed materials the committee had asked for last week.

The Chairperson gave a short history of the bill to bring the committee up to date. Because the rate is based on the plus rate; the committee did not know what that rate was.

Mr. West stated that information could be found at the bottom of the yellow sheet entitled "Interest Rate Comparisons" and said the Plus Loans are based on one year treasury bills. He went down the list of percentage rates. (Attachment 5).

The Chairperson commented there had been some interest expressed in taking it up to plus plus 4.

Senator Emert moved to amend **SB 381** by making the rate plus plus 5. Senator Kerr gave a second to the motion.

Discussion was held. The motion carried.

Senator Oleen asked the Chairperson to have the minutes reflect a request that the LEPC begin to look at some of the exchange programs. She expressed particular concern over the dental program. Some information has been obtained, but it is still sketchy. She believes there is an imbalance in the program. The Chairman stated that would be reflected in the minutes.

Senator Kerr stated that the bill is duly referred and will go to the Ways and Means committee next. He is not convinced at this point that the scholarship plan is what is needed to solve the dental problem. It may not survive in that committee, not because of disinterest in dental, but there may be a different answer for this issue. There has been another possible source of additional trading found just this week. He, like Senator Oleen, is not convinced our trades are working that well.

The Revisor went over the amendment that the Regents wanted to include in the bill.

Senator Emert moved to amend **SB 381** with the adoption of the language suggested by the Regents. Senator Oleen gave a second to the motion.

Senator Oleen recommended **SB 381** favorable for passage as amended, seconded by Senator Langworthy. The motion carried.

The meeting was adjourned.

