

School Counselor Legislative Report

Prepared for the Kansas Counseling Association and its members

February 19, 2016

By Bernie Koch, Lobbyist

Bill to eliminate Common Core advances It affects AP, IB, ACT and other programs

The House Education Committee unexpectedly advanced a bill eliminating the Common Core education standards in Kansas this week.

As you know, the Common Core is a set of high-quality academic standards in math, English language arts, and literacy. Originally a project of the National Governors Association and the Council of Chief State School Officers, the standards were created to ensure that all students graduate from high school with the skills and knowledge necessary to succeed.

Forty-two states, including Kansas, have adopted the standards and incorporated them into K-12 education.

The bill that eliminates Common Core is HB 2292, the so-called “local control of Kansas education act.”

It will have serious repercussions on education in the state because it appears to outlaw programs like International Baccalaureate, Advanced Placement, ACT, and other education activities that have been in place for some time.

It prohibits any education entity or any state official from joining any consortium or any other organization when participation in that consortium or organization would cede any measure of control over any aspect of Kansas public education to any entity not explicitly allowed authority over education in article 6 of the constitution of the state of Kansas.

After July 1, 2017 any actions by education or state officials to adopt, implement or align programs, assessments, testing, surveys or any educational materials or activities to the following are “void.”

- The common core state standards
- The social, emotional and character development standards
- The national curriculum standards for social studies
- The national health education standards
- The national sexuality education standards
- Core content and skills
- K-12 or any other academic standards not in the public domain

Education entities or state officials cannot accept public or private money for anything that has to do with Common Core or the other prohibited programs

The bill requires that if advanced placement, International Baccalaureate, dual credit or other similar courses and tests are administered to public high school students after July 1, 2017, they shall be aligned with the new Kansas curriculum standards.

That has many educators and education groups scratching their heads because those courses and tests come from outside the state and local educators and state officials have no control over them.

It's unknown if the bill will be scheduled for debate in the Kansas House of Representatives anytime soon.

Legislature sends budget to Governor

Facing limited revenues and a lackluster economy, the Legislature passed a major budget bill this week and sent it to the Governor, but without tackling the funding problem caused by last week's Kansas Supreme Court decision on school finance.

The bill passed the House 68 to 53 and the Senate by a vote of 22 to 16.

The measure, Senate Bill 161, leaves an estimated meager \$6.5 million ending balance for the current year's budget. That's about one-tenth of one percent. For FY 2017, the ending balance is estimated at about \$89 million.

A major component of the bill gives Governor Brownback authority this year and next to make "allotments," or cuts when the ending balance is expected to drop below \$100 million. He can make cuts that will result in an ending balance of up to \$100 million.

The bill also gives Brownback authority to delay the required state payment to KPERs, so long as it is repaid by September 30, 2016 with eight percent interest.

School finance is still on the table

The budget passed Thursday does NOT provide any funding to deal with last week's Kansas Supreme Court decision that declared the 2015 block grant funding bill unconstitutional.

The court gave the legislature until June 30 to fix the problem or Kansas public schools will not be able to operate after that date.

Legislative leaders decided to move forward with the bulk of the budget and work on tackling the court ruling during the rest of the session. The best guess is that a solution will wait until the veto session, which begins April 27.

Lawmakers will have more information at that time, including an updated consensus revenue estimate (expected April 20) and information from the Revenue Department about income taxes collected in April.

The best guess of how much the ruling could cost the state is in a range of between \$50 and \$100 million.

Anti-bullying bill introduced

School counselors might want to take a look at a new anti-bullying bill that was introduced last Friday. It's House Bill 2698.

You can read it at this link:

http://www.kslegislature.org/li/b2015_16/measures/documents/hb2698_00_0000.pdf

The new language on bullying policies is on page two in *italics*.

There are lots of requirements. A principal must be notified within 24 hours of a bullying incident. Parents must be notified within 24 hours. The principal or a designee must investigate and make a report to the superintendent within two days of the completion of the investigation.

Lots of hoops to jump through.

It does not appear a hearing has been scheduled yet.

Suicide prevention training requirement passes Senate

Substitute for Senate Bill 323, which requires suicide prevention training for school district personnel, passed the Senate Thursday by a vote of 38 to one.

Named the Jason Flatt Act after a young man who committed suicide several years ago, it was brought to the Kansas Legislature by the Jason Flatt Foundation. Sixteen states now have some form of the legislation.

The bill requires every school board to provide suicide awareness and prevention programming to all school staff. It requires one hour of training each calendar year. That training could be through independent self-review of training materials. The bill calls for a crisis plan for each school building, including steps for recognizing suicidal behavior, methods of intervention, and a crisis recovery plan.

Parents would have to be notified about the program.

Days cut from legislative session as calendar is revised

A new schedule for the legislative session has been adopted that leadership hopes will cut the number of days this year after 2015's record breaking session.

The "turnaround" or halfway point of the session is now next Tuesday, February 23. Instead of the usual four-day turnaround break, it will be seven days. The legislature will return on Wednesday, March 2.

The first adjournment will be Friday, March 25 (Good Friday). It was originally a week later.

The veto session will not change. It begins on April 27.

The deletion of days means that when the veto session begins April 27, the 90th day of the session will not occur until 22 days later.

Find your legislator

Want to contact your legislator to let them know what you think of any issue?

Here's a quick and easy way to do it. Just go to:

http://openstates.org/find_your_legislator/

Enter your full address, click on the magnifying glass icon. A map of your legislative district and the names and pictures of your state senator and representative will appear.

Click on their name to get contact information.

Bill tracker

Below is a listing of the bills we are tracking for the educator members of the Kansas Counseling Association. You can click on the bill number for more information. It will take you to the Kansas Legislature's web site, where you can read information on the bill.

Many bills will have a Supplemental Note or Fiscal Note. Click on SN or FN to get information in layman's terms.

Many of the bills are carried over from the 2015 Kansas Legislature.

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
SB 2 Jacob LaTurner, R-13th	Authorizing school districts to offer multi-year contracts to teachers	In Senate Education	01/28/2015 - Senate Possible Action in Education: Tuesday, 2/3/2015, 1:30 PM, Rm 144-S
Sub for SB 60 Senate Federal and State Affairs Committee	Authorizing participation by less than full-time students in activities regulated by Kansas state high school activities association	In House Education	03/13/2015 - House Scheduled Hearing in Education: Tuesday, 3/17, 1:30 PM, Rm 112-N
SB 67	Development and establishment of K-12 curriculum standards	In Senate Education	01/23/2015 - Senate Referred to Education

Senate Federal and State Affairs Committee			
SB 136 Senate Education Committee	Amending the professional negotiations act	In House Education	03/05/2015 - House Referred to Education
SB 137 Senate Education Committee	Education; amendments to the school district finance and quality performance act; the virtual school act; the student data privacy act; and the tax credit for low income student scholarship program act	In Senate Ways and Means	02/04/2015 - Senate Referred to Ways and Means
SB 168 Senate Select Committee on KPERS	Issuing a \$1 billion of pension obligation bonds to finance a portion of the unfunded actuarial liability of KPERS	In House Pensions and Benefits	03/05/2015 - House Referred to Pensions and Benefits
Sub for SB 171 Senate Ethics and Elections Committee	Municipal elections; nonpartisan; fall odd-numbered years	In House Taxation	03/25/2015 - House Withdrawn from calendar; referred to Taxation
SB 175 Senate Ways and Means Committee	Exercise of religious freedom by postsecondary education student associations	On General Orders in House	04/02/2015 - House Committee Report recommending bill be passed by Federal and State Affairs
SB 176 Senate Ways and Means Committee	Limiting negotiations under the professional negotiations act	In Senate Education	02/18/2015 - Senate Scheduled Hearing in Education: Monday, 2/23, 1:30 PM, Rm 144-S

SB 179 Senate Ways and Means Committee	Limiting negotiations under the public employer-employee relations act	In Senate Commerce	03/18/2015 - Senate Scheduled Final Action in Commerce: Thursday, 3/19, 8:30 AM, Rm 548-S
H Sub for SB 193 Senate Ways and Means Committee	Requiring a degree prospectus for postsecondary degree programs	On General Orders in House	02/16/2016 - House Committee Report recommending substitute bill be passed by Education
SB 194 Senate Corrections and Juvenile Justice Committee	Creating the Kansas public school security act	In Senate Corrections and Juvenile Justice	02/18/2015 - Senate Scheduled Hearing in Corrections and Juvenile Justice: Monday, 2/23, 9:30 AM, Rm 118-N
SB 273 Senate Ways and Means Committee	Creating the classroom learning assuring student success act; making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education	In Senate Ways and Means	03/06/2015 - Senate Scheduled Hearing in Ways and Means: Tuesday, 3/10, 9:00 AM, Rm 582-N
SB 294 Senate Assessment and Taxation Committee	Creating the education finance act of 2015; making and concerning appropriations for fiscal year ending June 30, 2016, for the department of education	In Senate Education In Senate Ways and Means	03/24/2015 - Senate Scheduled Hearing (cont.) in Education: Wednesday, 3/25, 12:00 PM, Rm 582-N
SB 299 Senate Assessment and Taxation Committee	Providing working after retirement requirements for certain KPERS retirants who return to work with covered employers including benefit and contribution provisions while extending current sunset for teachers to July 1, 2016	In Senate Select Committee on KPERS	04/21/2015 - Senate Scheduled Action in Select Committee on KPERS: Wednesday, 4/29, 1:00 PM, Rm 118-N

SB 300 Senate Ways and Means Committee	Education; amendments regarding virtual school state aid, supplemental general state aid, capital outlay state aid and capital improvement state aid	In Senate Ways and Means	05/04/2015 - Senate Scheduled Hearing in Ways and Means: Wednesday, 5/6, 1:30 PM, Rm 548-S
SB 302 Senate Assessment and Taxation Committee	Statewide excise tax levy of \$3 per acre on the ownership of real property for the purpose of school finance	In Senate Assessment and Taxation	05/01/2015 - Senate Referred to Assessment and Taxation
Sub for SB 323 Senate Corrections and Juvenile Justice Committee	Creating the Jason Flatt act; requiring suicide prevention training for school district personnel	Passed in Senate	02/18/2016 - Senate Final Action: Passed; Yeas 38, Nays 1
SB 342 Senate Education Committee	Creating the student online personal protection act	On General Orders in Senate	02/18/2016 - Senate Committee Report recommending bill be passed as amended by Education
SB 348 Tom Hawk, D-22nd	Prohibitions on carrying concealed handguns in postsecondary educational institution buildings	In Senate Federal and State Affairs	01/22/2016 - Senate Referred to Federal and State Affairs
SB 356 Senate Education Committee	Creating the school district bond project review board	In Senate Education	02/17/2016 - Senate Scheduled Possible Action in Education: Thursday, 2/18, 1:30 PM, Rm 144-S
SB 388 Senate Assessment and Taxation Committee	Requiring the state board of regents to adopt a policy on awarding credit hours based on CLEP test results	On General Orders in Senate	02/16/2016 - Senate Committee Report recommending bill be passed as amended by Education

SB 444	Creating a language assessment program for children who are deaf or hard of hearing	In Senate Education	02/12/2016 - Senate Referred to Education
Senate Assessment and Taxation Committee			
HB 2027	Requiring school district and state department of education audits; creating the efficient operation of schools task force	In House Education	01/16/2015 - House Referred to Education
House Education Committee			
HB 2028	Creating the Kansas education standards study commission	In House Education	02/06/2015 - House Scheduled Discussion and Possible Action in Education: Tuesday, 2/10/2015, 1:30 PM, Rm 112-N
House Education Committee			
HB 2034	School district; reducing negotiable terms and conditions in the professional negotiations act	Stricken from House calendar	03/04/2015 - House Stricken from Calendar, House Rule 1507
House Education Committee			
HB 2035	Amending the tax credit for low income students scholarship program act	In House Education	01/20/2015 - House Referred to Education
House Education Committee			
HB 2078	Requiring school districts to adopt school safety and security policies and plans	In House Education	02/11/2015 - House Scheduled Discussion and Possible Action in Education: Monday, 2/16, 1:30 PM, Rm 112-N
House Veterans, Military and Homeland Security Committee			
HB 2099	Authorizing school districts to administer certain surveys and questionnaires under the student	In House Education	02/06/2015 - House Scheduled Hearing in Education:

House Education Committee	data privacy act		Friday, 2/13/2015, 1:30 PM, Rm 112-N
HB 2199	School districts; human sexuality education; policies and procedures	On General Orders in House	02/17/2016 - House Committee Report recommending bill be passed by Education
House Education Committee			
HB 2207	Development and implementation of ethnic studies in schools	On General Orders in House	02/16/2016 - House Committee Report recommending bill be passed as amended by Education
House Education Committee			
HB 2220	Teachers' contracts; due process	In House Education	02/04/2015 - House Referred to Education
Brandon Whipple, D-96th			
HB 2232	Personal financial literacy course as a requirement for high school graduation	In House Education	02/11/2015 - House Scheduled Discussion and Possible Action in Education: Monday, 2/16, 1:30 PM, Rm 112-N
House Federal and State Affairs Committee			
HB 2253	Extending special employment after retirement provisions under KPERS for certain retirants who are teachers	On General Orders in House	03/24/2015 - House Committee Report recommending bill be passed as amended by Pensions and Benefits
House Pensions and Benefits Committee			
HB 2262	Providing a compliance deadline and penalties for non-compliance with the student data privacy act	In House Education	03/04/2015 - House Scheduled Discussion and Possible Action in Education: Thursday, 3/12, 1:30 PM, Rm 112-N
House Federal and State Affairs Committee			

HB 2266 House Appropriations Committee	Requiring postsecondary education institutions to adopt a policy on sexual assault, domestic violence, dating violence and stalking	In House Education	03/04/2015 - House Scheduled Discussion and Possible Action in Education: Monday, 3/9, 1:30 PM, Rm 112-N
Sub for HB 2292 House Federal and State Affairs Committee	Development and establishment of K-12 curriculum standards	On General Orders in House	02/18/2016 - House Committee Report recommending substitute bill be passed by Education
HB 2325 House Commerce, Labor and Economic Development Committee	Enacting the public employee bargaining transparency act	In House Commerce, Labor and Economic Development	02/04/2016 - House Scheduled Discussion and Possible Action in Commerce, Labor and Economic Development: Tuesday, 2/9, 1:30 PM, Rm 346-S
HB 2345 House Judiciary Committee	Prohibiting school board members from having a conflict of interest	In House Appropriations	02/26/2015 - House Withdrawn from Education; referred to Appropriations
HB 2394 House Appropriations Committee	Career technical education incentive draw down	On General Orders in House	03/09/2015 - House Committee Report recommending bill be passed as amended by Education Budget
HB 2403 House Appropriations Committee	Creating the classroom learning assuring student success act; making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education	In House Appropriations	03/09/2015 - House Scheduled Discussion (cont.) in Appropriations: Tuesday, 3/10, 9:00 AM, Rm 112-N

HB 2409 House Taxation Committee	Eliminating property tax exemption from statewide school levy for property used for residential purposes to the extent of \$20,000 of its appraised value	In House Taxation	03/17/2015 - House Scheduled Hearing in Taxation: Thursday, 3/19, 3:30 PM, Rm 582-N
HB 2426 House Appropriations Committee	KPERS; definition of compensation for purposes of computing final average salary	In House Appropriations	01/11/2016 - House Withdrawn from Commerce, Labor and Economic Development; referred to Appropriations
HB 2457 House Federal and State Affairs Committee	Amending the tax credit for low income students scholarship program act	On General Orders in House	02/09/2016 - House Committee Report recommending bill be passed as amended by Education
HB 2486 House Education Committee	Creating the school district bond project review board	In House Education	01/27/2016 - House Scheduled Hearing in Education: Monday, 2/1, 1:30 PM, Rm 112-N
HB 2504 House Federal and State Affairs Committee	School district realignment	In House Education	01/27/2016 - House Scheduled Hearing in Education: Wednesday, 2/3, 1:30 PM, Rm 112-N
HB 2526 House Appropriations Committee	Prohibitions on carrying concealed handguns in postsecondary educational institution buildings	In House Federal and State Affairs	01/26/2016 - House Referred to Federal and State Affairs
HB 2531 House Education	Eliminating due process for certain postsecondary teachers	In House Education	02/10/2016 - House Scheduled Discussion and Possible Action in Education:

Committee			Thursday, 2/18, 1:30 PM, Rm 112-N
HB 2532 House Education Committee	Including financial literacy as an educational capacity	On General Orders in House	02/16/2016 - House Committee Report recommending bill be passed by Education
HB 2533 House Education Committee	Creating the student online personal protection act	In House Education	01/27/2016 - House Referred to Education

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
HB 2534 House Children and Seniors Committee	Amendments to the freedom from unsafe restraint and seclusion act	In House Appropriations	02/10/2016 - House Withdrawn from Children and Seniors; referred to Appropriations
HB 2588 House Education Committee	Requiring encryption of student data	In House Education	02/10/2016 - House Scheduled Hearing and Possible Action in Education: Monday, 2/15, 12:00 PM, Rm 112-N
HB 2596 House Education Budget Committee	Creating the classroom-based funding act	In House Education	02/10/2016 - House Scheduled Hearing in Education: Tuesday, 2/16, 1:30 PM, Rm 112-N

HB 2622 House Education Committee	Board of regents; updating fees and making amendments to the Kansas private and out-of-state postsecondary educational institution act	On General Orders in House	02/17/2016 - House Committee Report recommending bill be passed by Education
HB 2630 House Education Committee	Amending the special education for exceptional children act	In House Education	02/09/2016 - House Referred to Education
HB 2653 House Pensions and Benefits Committee	Striking sunset to KPERS school working after retirement exception and extending certain working after retirement exceptions upon submission of an assurance protocol and allowing retirants to return to work for a different participating employer when such employer pays a 30% contribution rate	In House Pensions and Benefits	02/16/2016 - House Scheduled Discussion and Possible Action in Pensions and Benefits: Wednesday, 2/17, 9:00 AM, Rm 152-S
HB 2656 House Pensions and Benefits Committee	Providing a working after retirement exception for KPERS school members who retire at age 62 or later	In House Pensions and Benefits	02/16/2016 - House Scheduled Hearing in Pensions and Benefits: Wednesday, 2/17, 9:00 AM, Rm 152-S
HB 2663 Henry Helgerson, D-83rd	Creating the school district finance and quality performance act of 2016	In House Education	02/11/2016 - House Referred to Education
HB 2676 Joseph Scapa, R-88th	Development and establishment of K-12 curriculum standards	In House Education	02/11/2016 - House Referred to Education
HB 2698 House Education	Requiring school districts to adopt certain policies against bullying, harassment and cyberbullying	In House Education	02/15/2016 - House Referred to Education

Committee			

Bernie Koch Government Relations
berniekoch@yahoo.com