

BUDGET REVIEW SUBCOMMITTEE ON EDUCATION

Minutes of the 5th Meeting of the 2023 Interim

October 18, 2023

Call to Order and Roll Call

The 5th meeting of the Budget Review Subcommittee on Education was held on October 18, 2023, at 10:30 AM in Room 154 of the Capitol Annex. Senator Matthew Deneen, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Matthew Deneen Co-Chair; Representatives Kim Banta Co-Chair; Bobby McCool Co-Chair; Senators and Stephen West; Representatives James Tipton, Shane Baker, Tina Bojanowski, Adam Bowling, Derrick Graham, Scott Lewis, Josie Raymond, Steve Riley, and Killian Timoney

Guests: Ronnie Nolan, Ed.D., Executive Director, Kentucky Educational Collaborative for State Agency Children; Julian Tackett, Commissioner, Kentucky High School Athletic Association; Chad Collins, General Counsel, Kentucky High School Athletic Association

LRC Staff: Liz Columbia, David Talley, Amie Elam

The minutes from September 20, 2023, were approved by voice vote.

Kentucky Educational Collaborative for State Agency Children

Ronnie Nolan, Ed.D., Executive Director of the Kentucky Educational Collaborative for State Agency Children (KECSAC), testified regarding the agency's budget request. The presentation included demographics, educational opportunities, and a request for financial support to help meet the needs of state agency children.

In response to a question from Representative Tipton, Dr. Nolan said the 8,500 students in the presentation include only school-age children who are in the custody or care of the Commonwealth and being served in a program that is operated or contracted with the Cabinet for Health and Family Services or the Department of Juvenile Justice (DJJ). Dr. Nolan stated that the Department of Education tracks students who have aged out of the system. He said there are many options for support services once a student ages out if that student is under the care of the Department for Community Based Services. He added that students in the care of DJJ do not have the same support services. Dr. Nolan said that KECSAC encourages a blended learning model of direct instruction by a certified in-person teacher enhanced by technology and virtual learning.

In response to a question from Senator West, Dr. Nolan said that KECSAC has programs in 47 Kentucky school districts and educates children in 72 programs operated or contracted with the Commonwealth. He added that the most common facilities are residential group home settings. Dr. Nolan stated that district schools receive the typical Support Education Excellence in Kentucky (SEEK) allocation and local tax dollars. He said the concern is that districts are serving children who do not reside in the area where they are receiving services; therefore, districts are

supplementing the cost of serving these students. He answered that the \$18 million allocation is in addition to the SEEK allotment.

In response to a question from Representative Bojanowski, Dr. Nolan said the SEEK formula additions are insufficient to cover the significant needs of students with disabilities.

Kentucky High School Athletic Association

Julian Tackett and Chad Collins from the Kentucky High School Athletic Association (KHSAA) testified regarding student transfers and current rules and regulations.

In response to a question from Representative Bowling, Mr. Tackett said that foster care children or children in state custody are required to submit a judicial order to KHSAA when transferring schools. Mr. Collins added that eligibility exceptions can be made based on extenuating circumstances. Mr. Collins said that due process may only take a few days. However, if a hearing is required, the timeframe for a decision would be extended. Mr. Tackett said KHSAA allows student-athletes to make money from name, image, and likeness (NIL) deals.

In response to a question from Representative McCool, Mr. Tackett answered that students in counties near the border or in other states must follow the same rules as any transfer student. He added that Kentucky does not have an in-state residence requirement.

In response to a question from Representative Timoney, Mr. Tackett stated that two surrounding states have requirements that prohibit Kentucky student-athletes from competing.

In response to a question from Chair Deneen, if a student does not meet one of the exceptions, schools are prohibited from determining eligibility without going through KHSAA.

Adjournment

There being no further business before the subcommittee, the meeting adjourned at 11:53 a.m.