

Bachman

Kansas Legislative Research Department

October 7, 1976

M I N U T E S

SPECIAL COMMITTEE ON EDUCATION

October 4 and 5, 1976  
Room 510 - State House

October 4, 1976

The Chairman, Representative Don Crumbaker, presided. Other members present included Senators Angell, Meyers, and Warren and Representatives Anderson, Braden, Laird, Norvell, and Yonally.

Staff in attendance included Ben Barrett and Myrta Anderson from the Legislative Research Department and Avis Badke from the Revisor of Statutes' Office.

October 4, 1976  
Morning Session

Conferees:

Social and Rehabilitation Services (SRS)

Dr. Robert C. Harder, Secretary  
Dr. Roy R. Rutherford, Special Education Consultant  
Dr. Robert A. Haines, Director, Division of Mental Health and Retardation Services.

Kansas State Department of Education (KSDE)

Dr. Merle Bolton, Commissioner  
Mr. Jim Marshall, Director of Special Education

Proposal No. 9 - Special Education

The staff distributed to the Committee a copy of a letter from the assistant superintendent of the Belleville school district (USD 427). The letter followed an earlier communication which expressed concern about application of Kansas State High School Activities Association (KSHSAA) rules regarding participation in school activities by certain types of special education students. The KSHSAA rulings prohibited special education students who reside in another school area from participating in the activities of the school they actually are attending. That former letter was distributed to the Committee and to the Executive Secretary of KSHSAA. The second letter informed the Committee that KSHSAA has since taken action to resolve the problem.

Staff presented to the Committee a draft proposal, prepared as a result of consultation with the staff of SRS and KSDE, designed to accomplish the following objectives:

1. Eliminate from the law the concept of "specialized instruction."
2. Place ultimate special education program approval authority with KSDE.
3. Ensure that students in SRS institutions receive a free public education.

4. Accomplish the above objectives without causing a reduction of Title XIX benefits to the state institutions.

Staff reported that tentative agreement had been reached on this proposal, but it was considered to be subject to additional scrutiny by the respective agencies. (A copy of the proposal is included as Attachment I.)

Dr. Harder. Dr. Harder suggested the Committee consider a modification of the proposal. This modification included the concept that the entire educational portion of the program for residents at the three state institutions for the mentally retarded (KNI, Parsons, Winfield) be provided by an appropriate local education agency. Total funding of the educational component would be by appropriation to KSDE for this purpose or by the school district of residence of the student.

In response to a question, Dr. Harder stated that SRS institutions presently have an educational responsibility to age 18. There are some students at KNI, Parsons and Winfield in both special education programs and programs described as "specialized instruction." Where special education is being provided, the institutions are attempting to meet KSDE standards for such services. According to Dr. Harder, the KSDE certification requirements have been met, but standards for program accreditation have not been achieved in some cases. The program at Winfield is one which has not yet been accredited.

Dr. Harder submitted to the Committee a document (Attachment II) using KNI as an illustration to show the current costs of providing special education services and to estimate costs of compliance with the provisions of PL 92-142.

The current educational program at KNI was estimated to have an annual total cost of about \$734,000, or \$3,700 per pupil. It was estimated that an additional \$573,000 would be required to provide full special education services to all children at KNI.

Dr. Harder stated this figure (\$573,000) could be doubled to give a rough approximation of the additional cost of providing special education services to all children at the three SRS institutions.

Dr. Harder suggested that funding of special education services under this alternative should be determined annually based upon estimates of the cost of education for the individual child. The amount so determined, less available state and federal categorical aids, would be the basis for the annual amount that would be requested of the state or "home" school district for the payment of these programs.

Dr. Harder was asked what the result would be if the Committee took no action concerning the proposal to eliminate "specialized instruction." He stated he was not certain specialized instruction should be eliminated, but he indicated the concept may be superseded by the requirements of PL 94-142.

With regard to Title XIX funding, Dr. Harder stated that there would be a reduction of entitlements to SRS institutions under the alternative of total removal from SRS institutions of any educational role and responsibility. Total state of local funding of these programs would contribute to a reduction of the financial problems that would be experienced by SRS institutions if the Title XIX benefits were reduced. Dr. Harder stated that he hoped school districts and SRS institutions would cooperate to the extent that the educational and medical treatment models would complement each other.

In response to a question, Mr. Marshall stated that KSDE is making every effort to gain the support necessary to help educational agencies in Kansas meet the requirements of the special education mandates of the state and federal law.

The Committee discussed the implications of making local school districts responsible for paying the educational costs of students in state institutions. The Committee also discussed whether local school districts should be expected to pay the costs of the educational program for a child at a state institution when the child could be provided an appropriate program by the school district.

Afternoon Session

Conferees:

Kansas State High School Activities Association

Nelson L. Hartman, Executive Secretary  
Dr. M.L. Winters, President, KSHSAA Executive Board

Proposal No. 11 - State High School Activities Association

The Committee reviewed the proposed bill draft concerning the KSHSAA (Attachment III).

Mr. Hartman distributed to the Committee copies of proposed amendments to the bill (Attachment IV). The Committee adopted the following changes in the bill draft:

1. The second full sentence on page 2 was amended to read as follows:  
"An executive board which shall be responsible for the administration, enforcement and interpretation of policies established by the board of directors shall be selected by the board of directors from its membership."
2. The provisions concerning the composition of the executive board was changed to provide that the board would consist of not less than seven members, at least one of whom would be a member of the board of education elected by the board of education members of the board of directors. (The previous provision contained no minimum number for membership on the executive board, but did provide for a maximum of nine members.)
3. The number of members composing the appeal board was increased from nine to ten.
4. Commensurate with (3) above, the bill draft was modified to provide that five (previously four) of the members of the appeal board would be school administrators. The other five members would be members of boards of education.
5. The bill draft was changed to provide that on or before November 1, 1977, the board of directors would be required to adopt amendments to the KSHSAA articles of incorporation and bylaws in conformity with the new provisions of the bill. The law would become effective upon publication in the official state paper. (Previously, the bill was to become effective upon publication in the statute books.)
6. On page 3, Section 1(d) all of the wording after the word "enrollments" was deleted.
7. On page 4, Section 5(a) the phrase "student, the parent or guardian of any student, or any member school" was inserted in lieu of the term "person." (This language refers to those who are permitted to appeal a decision of the board of directors, the executive board, or any of the officers or employees of KSHSAA.)
8. The original bill draft provided that appeals must be heard and determined by the appeal board within ten days. A proposed amendment modified this provision to retain the ten-day limit, but also provided that an extension of that period could be granted by mutual agreement.
9. The bill draft was changed to require that appeal board decisions be made within five days after the hearing.
10. On page 5, Section 5(d) a change provided that an appeal board hearing would be open unless the appellant requested the hearing be closed. (Previously, either of the parties could request a closed hearing.)

A motion by Representative Yonally, seconded by Senator Warren, was adopted unanimously giving tentative approval to the bill, as amended. It is expected that the KSHSAA staff will discuss the bill at its regional meetings and report back to the Committee at its next meeting any reactions to the proposed bill.

#### Other Matters

The minutes of the previous meeting, as amended, were adopted.

The draft Committee reports on Proposals 12 and 13 were considered. A motion by Representative Yonally, seconded by Senator Meyers, was adopted approving the report on Proposal No. 12. A motion by Representative Braden, seconded by Senator Warren, was adopted approving the report on Proposal No. 13. (Rep. Yonally abstained from voting on Proposal No. 13 since the study related directly to his professional occupation.)

The staff presented some preliminary data concerning special education cost estimates. Committee members were asked to offer suggestions relative to additional factors that should be taken into account in regard to the special education cost estimating activity.

October 5, 1976

Morning Session

#### Proposal No. 9 - School Finance

The staff presented the following items, copies of which are included in the Committee notebooks:

1. Information sheets describing application of the School District Equalization Act in an individual school district.
2. "Selected State Aid to Unified School Districts," Kansas Legislative Research Department and School Finance and Statistics Section, October 5, 1976.
3. "Summary of the Property Tax for Unified School Districts," Division of Financial Services and Legislative Research Department, October 4, 1976.
4. "Authorized General Fund Budget Per Pupil Increase," Division of Financial Services and Legislative Research Department, October 4, 1976.
5. "Frequency Distribution: Combined USD General Fund and County School Foundation Fund Tax Rate," Legislative Research Department, and Division of Financial Services, October 4, 1976.
6. "No Aid Districts - 1976-1977," Division of Financial Services and Kansas Legislative Research Department, October 4, 1976.
7. "1976-1977 Grandfather Clause," Division of Financial Services and Kansas Legislative Research Department, October 4, 1976.
8. "District Wealth - School District Equalization Act," Legislative Research Department and Division of Financial Services, October 4, 1976.
9. "General Fund Tax Rates - 1974, 1975, and 1976," Division of Financial Services and Kansas Legislative Research Department, October 4, 1976.
10. "Financial Information Concerning Special Education and Vocational Education for 1973-1974, 1974-1975, 1975-1976, and 1976-1977," Division of Financial Services, October 4, 1976.
11. "Appeals to the State Board of Tax Appeals Under the School District Equalization Act," Kansas Legislative Research Department and Division of Financial Services, October 4, 1976.

12. "Financial Information Concerning Community Junior Colleges," Division of Financial Services and Kansas Legislative Research Department, October 4, 1976.

The staff reported that no official action has been taken with regard to the litigation in the Knowles case. Concerning the filing of an additional case challenging the school finance law, the staff reported that such a case is expected to be filed within the next two or three weeks, probably in Johnson County. The new case will contain issues which are essentially different from those in the Knowles case. These include power-equalization of certain school district funds and statutory provisions relating to the income tax rebate program.

The Committee discussed various types of computer applications that it might request the staff to prepare for the next meeting.

#### Afternoon Session

##### Meeting Date

The Committee scheduled its next meeting for December 7, 1976. This meeting will be in lieu of any additional meetings in October and the meetings previously scheduled for November 15 and 16. The purpose for scheduling the meeting on this late date is to allow the staff enough time to prepare the computer applications being requested by the Committee. These analyses will project information to the 1977-1978 school year. One very important information item required for this project involves the availability of 1976 adjusted valuation data. These data should be available in November.

##### Proposal No. 10 - School Finance

The consensus of the Committee was that the staff should be directed to prepare eight computer applications projecting data to the 1977-1978 school year, based on the following assumptions:

1. No change in present law (budget control at 5 percent to 15 percent).
2. Same as (1), except budget controls of 7 percent to 15 percent.
3. No change in present law (budget control at 5 percent to 15 percent), except:
  - (a) power-equalize social security,
  - (b) power-equalize special education,
  - (c) power-equalize social security, special education, vocational education, and workmen's compensation.
4. No change in present law (budget control at 5 percent to 15 percent), except adjust LER so that the distribution formula requires an increase in state aid over 1976-1977 of 5 percent, and
  - (a) power-equalize social security,
  - (b) power-equalize special education,
  - (c) power-equalize social security, special education, vocational education, and workmen's compensation.

The staff also was directed to estimate the effect on local property taxes in 1977-78 of each of the above computer applications.

##### Proposal No. 9 - Special Education

The Committee reviewed several options regarding the issue of "specialized instruction" in state institutions under the direction of the Secretary of SRS. Tentatively, the Committee decided to prepare legislation and recommend to the Legislature the following position pertaining to this matter:

1. Delete the concept of "specialized instruction" from the statutes.
2. Mandate SRS to provide special education services to school age youth in SRS institutions.
3. Recommend to SRS that, to the extent practicable, special education services be provided via contractual relationships with appropriate local education agencies.
4. Recommend that SRS request funds for contractual services in the budget of each institution to provide approved special education services.
5. Clarify the law to ensure that local school districts will not be responsible for payment to SRS institutions for special education services provided children who reside in such institutions.
6. Amend the School District Equalization Act to make certain that students who are residents of SRS institutions and who receive special education services provided by SRS are not counted in the enrollment of a local school district.

It was noted that the fiscal note prepared by SRS relative to the alternative proposal it had submitted to the Committee could no be regarded as sufficiently precise to indicate the actual additional costs to the state of providing a full range of mandated special education services.

Other Matters

The staff was directed to prepare Committee reports on Proposal No. 9 - Special Education, Proposal No. 10 - School Finance, and Proposal No. 11 - Kansas State High School Activities Association and to circulate these reports by mail to the members of the Committee. Members were requested to contact the staff as soon as possible concerning any proposed changes or revisions of these reports.

The meeting was adjourned.

Prepared by Ben F. Barrett

Approved by Committee on:

December 7, 1976  
date

## TRANSMITTAL MEMORANDUM

TO: Social and Rehabilitation Services, Kansas      September 20, 1976  
State Department of Education and Re-  
visor of Statutes' Staff

FROM: Ben Barrett, Kansas Legislative Research  
Department

RE: Proposal No. 9 - Special Education

Pursuant to the instructions of the Special Committee on Education at its last meeting and as a result of our preliminary discussions, attached is a copy of the proposal we tentatively have agreed upon for a presentation to the Committee.

Please review this draft carefully and contact me as soon as possible concerning any problems we need to resolve before the October 4 meeting.

Thanks for your attention to this matter.

cc: Avis Badke  
Dr. Merle Bolton  
Dale Dennis  
Dr. Robert Haines  
Dr. Robert Harder  
Jim Marshall  
Dr. Roy Rutherford

## MEMORANDUM

TO: Special Committee on Education September 17, 1976  
 FROM: Kansas Legislative Research Department  
 RE: Proposal No. 9 - Special Education

At its last meeting, the Committee directed the staff to work with the Department of Social and Rehabilitation Services (SRS) and the Kansas State Department of Education (KSDE) to develop a proposal that would accomplish the following objectives:

1. Insure that responsibility for approval of special education programs in state institutions, in accord with PL 94-142, rests with KSDE.
2. Eliminate from the law the concept of "specialized instruction."
3. Provide that youth in SRS institutions who now receive "specialized instruction" would, in the future, receive special education services which are comparable to those required to be provided by school districts.
4. Accomplish the above objectives without effecting a reduction of state institution entitlements under Medicaid, Title XIX.

Background

The present concern about the concept of "specialized instruction" centers in three SRS institutions. As of August 24, 1976, these institutions reported the following number of pupils in specialized instruction:

<u>Institution</u>	<u>Number of Pupils</u>
Kansas Neurological Institute	80
Parsons State Hospital and Training Center	190
Winfield State Hospital and Training Center	<u>192</u>
	462

Each of these institutions also had students in programs in which special education services were being provided.



At the last meeting of the Committee, the Secretary of SRS explained that persons admitted to the three state mental hospitals and four state institutions for the mentally retarded are billed for maintenance and treatment costs. Annually, a maximum daily rate of charge is calculated for each of these institutions which rate serves as the basis for the charges made for services. In making this calculation, direct costs of educational services (i.e., the salaries of certified teachers) are excluded. Thus, this cost of the educational program is not included in the daily rate of charge. According to the Secretary of SRS, such a distinction is required in computing the charges that may be paid on behalf of persons who qualify for the Title XIX payments. At present, other staff who serve in a supportive role to the educational function are considered as belonging to the medical treatment program of the institution. This allows expenditures for such supportive services to be identified with a medical "model" and, therefore, to be considered as costs included in determining Title XIX entitlements.

It has been reported that nearly all of the patients in the institutions for the mentally retarded are eligible for Title XIX payments. During FY 1976, a total of about \$9 million in Title XIX payments was received by state institutions as a result of billing for patient treatment.

### Proposal

As a result of the efforts of SRS, KSDE and the staff, the following approach has been developed in order to meet the several objectives of the Committee:

1. Statutory provisions relating to "specialized instruction" will be removed from the statutes.

The effect of this change would be to make programs in state institutions subject to KSDE standards pertaining to special education services, thereby complying with the PL 94-142 requirement that final authority for approval of special education services must lie with the state education agency.

2. For providing special education services in lieu of specialized instruction, SRS will endeavor to develop contractual agreements with the appropriate local education agency. The approach will be that the local education agency will employ special education teachers (and perhaps other professional personnel) and assign them to the state institution. Local education agencies would retain the authority to hire or dismiss such personnel, but the actual day-to-day supervision would flow largely from the state institution. Services provided in this manner would be viewed under the State Plan for

Special Education as constituting developmental learning centers. Such centers would be considered as one aspect of the programs of the cooperating local education agency.

To function in this manner offers certain advantages; it also requires considerable cooperation among the various parties.

Advantages are:

1. State institutions would be enabled to secure the services of properly trained, certified teachers without having to compete with local education agencies for personnel.

Historically, state salaries for such teachers have been lower than those available in the local education agencies, and terms of employment, longer than the traditional nine-month contract of public school teachers.

2. As employees of a local education agency, teachers could be counted in the determination of entitlements for state special education categorical aid.
3. An adequate basis for institutional supervision of personnel would be established, yet local education agencies would retain ultimate control over personnel.
4. State institutions would not have to contend with school accreditation problems since these programs would be identified as belonging to local education agencies.

In order for special education services to be provided in the above manner, it is of utmost importance that the appropriate local education agencies willingly cooperate with SRS.

It is anticipated that under any such arrangement, the cooperating school district would not be burdened with any additional costs. Local education agencies would be reimbursed by the institution the costs attributable to such a program, less any state and/or federal categorical aid received. In this regard, the institution would pay a reasonable administrative fee to the local education agency for its role in organizing and providing general administration of these programs.

The matter of whether the amount paid by the state institution would be financed by a state general fund appropriation for contractual services or whether such payments would be generated via charges to the school district of the child's residence is a policy question the Committee has not yet resolved.

In determining whether such programs meet the requirements of the special education mandate, KSDE will analyze the total program available, including all support services provided in the institutional setting. This means that both persons employed by the institution and those employed under a contractual agreement with a local education agency will be considered. In this manner program approval will not require the identification of institutional employees with either a medical or educational "model." Therefore, there should be no disruption of the present method used by SRS in calculating institutional costs for purposes of Title XIX reimbursement.

Payments made by the state institution to a local education agency for contractual services would be excluded from the above calculation, just as salaries of certified teachers employed by the institution are now excluded. In effect, direct educational services attributable to a contractual arrangement between a state institution and a local education agency would be "free public education" as required under PL 94-142.

If a policy decision is reached that the state should absorb fully the cost of the contractual services, it will be necessary to appropriate to the three state institutions amounts sufficient to pay such obligations. Estimates for providing these services are now being prepared by SRS and KSDE.

In conclusion, it would appear that the benefit to the children in these three state institutions will be the assurance that the educational programs they receive will be at least equal in quality to those available in the school districts. This is, of course, a principal objective of PL 94-142.

Dr. Harder  
To ~~Dr. Haines~~

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

MEMORANDUM

FROM: Roy M. Rutherford  
RE: Per Student Cost of Special Education Services at KNI  
DATE: September 13, 1976

Two concerns seem to be at issue in this request. First: What is the current cost of special education services at KNI and Second: What will it cost the Division of Mental Health & Retardation Services to comply with P.L. 92-142 in the future.

Assuming that a Developmental Learning Center is operated at KNI which meets the standards set forth in the Kansas State Plan for Special Education, the factors determining cost are:

- (1) Personnel - both special education teachers and paraprofessionals.
- (2) Supplies, equipment, facilities and support personnel
- (3) Number of pupils per teacher or acceptable staffing pattern (Since the state plan seems to assume increased daily program involvement on the part of pupils, the plan does not rule out the precedent set by P.L. 89-315 as a means of determining the average daily attendance of pupils "...so that pupils receiving more than one hour but less than three hours daily will count 1/2 daily attendance and those capable of three hours per day will constitute a full day of special education program.")

The following items which appear in the KNI budget provide the basis for determining current costs.

(1) Personnel Salaries	\$ 319,162.00
Special Education Services	150,783.00
Special Education Title I	<u>469,945.00</u>
Estimated Fringe	<u>75,661.00</u>
	545,606.00
(2) Estimated 20% Support Costs	<u>93,989.00</u>
(3) Estimated 20% Indirect Costs	<u>93,989.00</u>
Total Special Education Budget	\$ 733,584.00

Cost per pupil is derived by dividing total students enrolled into budget.

$$\$733,584.00 / 199 = \$3,686.35$$

In order to calculate the budget requested to provide educational services to all of the school age population at KNI (325) the following formula is in order.

325 times 4 hours per day = 1,300 daily resident hours required to meet the mandate.

Estimating that the resident population required the following ratios:

10:1	40	4	160	16
2:1	196	4	784	392
4:1	89	4	356	89
<u>TOTALS</u>	<u>325</u>		<u>1300</u>	<u>497</u>

Using the teachers daily load of 6 hours the daily <sup>personnel</sup> requested are  $497/6 = 83$ .

Present Staff Pattern

	17 Teachers
	5 AT's
	<u>20 ATA's</u>
TOTAL	42

Additional Staff Requested

	13 Teachers
	28 ATA's

Estimated Cost for Teachers	\$ 148,858.00
Estimated Cost for ATA's	203,581.00
Estimated Fringe	<u>56,742.00</u>
TOTAL Salaries	409,181.00
20% Support Cost	81,836.00
20% Indirect Cost	<u>81,836.00</u>
	<u>572,853.00</u>

83  
4 1/2  
4  
30,400  
120  
246,100

Address - x2 fiscal impact. = 1.1/mil.

Total required to operate a Developmental Learning Center in which 325 children would spend 4 hours or more per day divided by 325 school age = National Estimates =

\$1,306,137.00 *2 =
4,019.80
5,000.00 per children

See Table of Program Empahsis for daily program.

RMR:eb

4,019.80  
325  
12,563.40

**Table 1: Suggested Areas of Program Emphasis for Profoundly Retarded Residents**

PRE-SCHOOL AGED	SCHOOL AGED	ADULTS
<p><b>Sensori-Motor Stimulation</b></p> <ol style="list-style-type: none"> <li>stimulating sight, hearing, touch, smell, and muscular response</li> <li>enriching environment and encouraging exploration of interesting and attractive surroundings</li> </ol> <p><b>Physical Development</b></p> <ol style="list-style-type: none"> <li>body positioning</li> <li>passive exercising</li> <li>rolling, creeping and crawling</li> <li>balancing head and trunk</li> <li>using hands purposefully</li> <li>standing practice</li> <li>training for mobility</li> </ol> <p><b>Pre-Self Care</b></p> <ol style="list-style-type: none"> <li>taking nourishment from bottle and spoon; drinking from cup and finger feeding</li> <li>passive dressing; accommodating body to dressing; partially removing clothing</li> <li>passive bathing; handling soap and washcloth; participating in drying</li> <li>passive placement on toilet; toilet regulating</li> </ol> <p><b>Language Stimulation</b></p> <ol style="list-style-type: none"> <li>increasing attention to sounds</li> <li>encouraging vocalization</li> <li>responding to verbal and non-verbal requests</li> <li>identifying objects</li> </ol> <p><b>Interpersonal Response</b></p> <ol style="list-style-type: none"> <li>recognizing familiar persons</li> <li>requesting attention from others</li> <li>occupying self for brief periods</li> <li>manipulating toys or other objects</li> </ol>	<p><b>Sensori-Motor Development</b></p> <ol style="list-style-type: none"> <li>identifying shapes, colors, sizes, locations, and distances</li> <li>identifying sound patterns, locations, tonal qualities, rhythms</li> <li>identifying textures, weights, shapes, sizes, temperatures</li> <li>identifying familiar, aversive and pleasant odors</li> </ol> <p><b>Physical Mobility and Coordination</b></p> <ol style="list-style-type: none"> <li>practicing ambulation</li> <li>overcoming obstacles; walking on ramps and stairs, running, skipping, jumping, balancing, climbing</li> <li>using playground equipment</li> <li>participating in track and field events</li> </ol> <p><b>Self-Care Development</b></p> <ol style="list-style-type: none"> <li>self-feeding with spoon and cup; eating varied diet; behaving appropriately while dining</li> <li>removing garments; dressing and undressing with supervision; buttoning, zipping, and snapping</li> <li>drying hands and face; partially bathing</li> <li>toilet scheduling; indicating need to eliminate; using toilet with supervision</li> </ol> <p><b>Language Development</b></p> <ol style="list-style-type: none"> <li>recognizing name, names of familiar objects, and body parts</li> <li>responding to simple commands</li> <li>imitating speech and gestures</li> <li>using gestures, words or phrases</li> </ol> <p><b>Social Behavior</b></p> <ol style="list-style-type: none"> <li>requesting personal attention</li> <li>playing individually along side other residents</li> <li>using basic self-protective skills</li> <li>playing cooperatively with other residents</li> </ol>	<p><b>Sensori-Motor Integration</b></p> <ol style="list-style-type: none"> <li>sorting, transferring, inserting, pulling, folding</li> <li>responding to music activities, signals, warnings</li> <li>making personal choices and selections</li> <li>discriminating sizes, weights, colors, distances, locations, odors, temperatures, etc.</li> </ol> <p><b>Physical Dexterity and Recreation</b></p> <ol style="list-style-type: none"> <li>riding vehicles; participating in gymnastic-like activities and track and field events</li> <li>marking with pencil; cutting with scissors; stringing beads; pasting; and assembling</li> <li>swimming and water play</li> <li>using community parks, playgrounds, and other recreational resources</li> </ol> <p><b>Self-Care</b></p> <ol style="list-style-type: none"> <li>eating varied diet in family dining situation; using eating utensils; selecting foods</li> <li>dressing with partial assistance or supervision</li> <li>bathing with partial assistance or supervision</li> <li>using toilet independently with occasional supervision</li> </ol> <p><b>Language and Speech Development</b></p> <ol style="list-style-type: none"> <li>listening to speaker</li> <li>using gestures, words, or phrases</li> <li>following uncomplicated directions</li> </ol> <p><b>Self-Direction and Work</b></p> <ol style="list-style-type: none"> <li>using protective skills</li> <li>sharing, taking turns, waiting for instructions</li> <li>traveling with supervision</li> <li>completing assigned tasks</li> <li>participating in work activity center programs</li> </ol>

**Table 2: Suggested Areas of Program Emphasis for Severely Retarded Residents**

PRE-SCHOOL AGED	SCHOOL AGED	ADULTS
<p><b>Sensori-Motor Development</b></p> <ol style="list-style-type: none"> <li>stimulating sight, hearing, touch, smell, and muscle response</li> <li>identifying shapes, colors, locations and distances</li> <li>identifying sound patterns, locations, tonal qualities, and rhythms</li> <li>identifying textures, weights, shapes, sizes and temperatures</li> <li>identifying familiar, aversive, and pleasant odors</li> <li>defining body location and boundaries</li> </ol> <p><b>Physical Mobility and Coordination</b></p> <ol style="list-style-type: none"> <li>passive exercising and body positioning</li> <li>rolling, creeping, and crawling</li> <li>balancing head and trunk</li> <li>using hands purposefully</li> <li>practicing ambulation</li> <li>overcoming obstacles; using stairs, ramps, and balancing</li> </ol> <p><b>Self-Care Development</b></p> <ol style="list-style-type: none"> <li>taking nourishment from bottle and spoon; drinking from cup and finger feeding; partial self-feeding with spoon and cup</li> <li>accommodating body to dressing; partially removing clothing; removing clothing and dressing with assistance</li> <li>handling soap and washcloths; participating in drying; drying hands and face; partially bathing</li> <li>scheduling toilet use; indicating need to eliminate</li> </ol> <p><b>Language and Speech Development</b></p> <ol style="list-style-type: none"> <li>increasing attention to sounds and voices</li> <li>encouraging vocalization</li> <li>recognizing name, names of familiar objects, and body parts</li> <li>imitating speech and gestures</li> <li>using gestures, words and phrases</li> </ol> <p><b>Social Behavior</b></p> <ol style="list-style-type: none"> <li>recognizing familiar persons</li> <li>requesting personal attention</li> <li>occupying self for brief periods</li> <li>playing independently along side other residents</li> </ol>	<p><b>Sensori-Motor Integration</b></p> <ol style="list-style-type: none"> <li>sorting, transferring, pulling and folding</li> <li>responding to music activities, signals and warnings</li> <li>making personal choices and selections</li> <li>discriminating sizes, weights, colors, distances, temperatures, locations, and basic similarities and differences</li> </ol> <p><b>Physical Dexterity and Recreation</b></p> <ol style="list-style-type: none"> <li>running, skipping, jumping, balancing, climbing</li> <li>using indoor and outdoor play equipment</li> <li>using riding vehicles; participating in gymnastic-like activities, track and field events</li> <li>participating in uncomplicated group games and sporting events</li> </ol> <p><b>Self-Care</b></p> <ol style="list-style-type: none"> <li>self-feeding with spoon and cup; eating varied diet in family-style dining situation; using utensils appropriately; behaving acceptably during meals; and selecting foods</li> <li>dressing and undressing with supervision; buttoning, zipping, snapping, lacing and tying; selecting appropriate clothing items with supervision</li> <li>bathing with partial assistance and supervision; using comb and brush</li> <li>using toilet independently; self-wiping, etc.</li> </ol> <p><b>Speech Development</b></p> <ol style="list-style-type: none"> <li>using gestures, phrases, and sentences to express needs</li> <li>asking for the names of objects</li> <li>using descriptive and action words; using pronouns; expressing feelings and sensations</li> <li>following verbal directions</li> <li>understanding relationships such as "up-down", "over-under", "big-little", etc.</li> </ol> <p><b>Social Behavior and Self-Direction</b></p> <ol style="list-style-type: none"> <li>using self-protection skills</li> <li>sharing, taking turns, and waiting for instructions</li> <li>imitating adults through playing dress-up, tea party, store, etc.</li> <li>going about surroundings unsupervised</li> <li>acquiring basic housekeeping skills</li> </ol>	<p><b>Sensori-Motor Integration</b></p> <ol style="list-style-type: none"> <li>recognizing essential similarities and differences</li> <li>using plans of search</li> <li>using time and place concepts</li> <li>recognizing potential dangers; obeying traffic lights, stop signs, and other warning devices</li> <li>using visual and auditory memory skills</li> </ol> <p><b>Recreation and Leisure Activities</b></p> <ol style="list-style-type: none"> <li>using community recreation facilities such as theatres, parks, zoos, swimming pools, bowling alleys, etc.</li> <li>exercising for muscle tone and weight control</li> <li>observing or participating in sports</li> <li>attending club meetings, dances, and other social activities involving both sexes</li> </ol> <p><b>Self-Care, Grooming and Hygiene</b></p> <ol style="list-style-type: none"> <li>dining in family or community settings; selecting normal diet; and maintaining weight control</li> <li>selecting appropriate clothing, normal hair and clothing styles; caring for personal clothing items</li> <li>caring for hair, teeth, nails and shaving or menstruation needs; using cosmetics and deodorants</li> </ol> <p><b>Communication</b></p> <ol style="list-style-type: none"> <li>relating experiences and feelings verbally</li> <li>following directions requiring performance of several tasks</li> <li>repeating messages and giving simple directions others</li> </ol> <p><b>Self-Direction and Work</b></p> <ol style="list-style-type: none"> <li>behaving like adults in a variety of social situations</li> <li>using public transportation with supervision</li> <li>practicing homemaking skills</li> <li>participating in work activity center programs</li> </ol>

# KANSAS STATE HIGH SCHOOL ACTIVITIES ASSOCIATION, INC.

Member of National Federation of State Associations / 520 West 27th Street, Box 495, Topeka, Kansas 66601 / Area Code 913 235-9201

NELSON L. HARTMAN, EXECUTIVE SECRETARY / Francis L. McGinness, Asst. Exec. Secretary / Wanda May Vinson, Keith E. Akins, Kaye B. Pearce, Adm. Asst's.

## PROPOSED CHANGES FOR BILL NO. \_\_\_\_\_ INVOLVING KSHSAA

- pg. 2, line 3                    Add the phrase "in so far as is practical" following the word enrollments.
- pg. 2, lines 3 & 4            remove "be-given-equal-representation" and replace with the phrase "have at least one representative"
- pg. 2, lines 8 & 9            remove "~~not more than nine (9)~~ and "
- pg. 2, line 16                change "nine" to "ten"
- pg. 2, line 17                change "four" to "five"
- pg. 2, line 24                remove "possible" and replace with the words "is practical"
- pg. 3, lines 1, 2 & 3        remove "~~se that each such classification contains schools of substantially-equal-student-enrollments.~~"
- pg. 4, lines 10 & 11        remove (c) in its entirety
- pg. 4, line 14                remove the word "person" and replace with the phrase "student, his or her parents or guardians, or member school."
- pg. 4, line 26                add "hear said appeal" following the word shall
- pg. 4, line 27                remove the phrase "~~hear-said-appeal~~" and replace with the phrase, "unless a longer time is set by mutual agreement."
- Pg. 4 & 5                    remove the last four lines of page 4 and the first eight lines of page 5 and replace with the following "The appeal board shall, within five (5) days after the close of the hearing, make its written findings of fact and recommendation as to the issue. The appeal board may recommend that the decision of the Board of Directors be sustained or re-considered. The Board of Directors shall not be bound by the recommendations of the appeal board, and after considering the recommendations, the Board of Directors, shall make a final determination of the issue."

Proposed Changes  
Page two  
October 4, 1976

pg. 5, line 13 & 14

change "~~ten (10)~~" to "five (5)"

pg. 5, line 14 & 15

remove "~~the reasons for its decision~~" and replace with  
the phrase "its findings and decision"

Nelson L. Hartman  
Executive Secretary



PROPOSED BILL NO. \_\_\_\_\_

By Special Committee on Education

AN ACT concerning high school activities associations; amending K.S.A. 72-130, 72-131, 72-132, 72-133 and 72-134, and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 72-130 is hereby amended to read as follows: 72-130. Any ~~organization~~ association with a majority of the high schools of the state as members and whose purpose is the statewide regulation, supervision, promotion or development of any of the activities referred to in this act and in which any public school of this state may participate directly or indirectly shall:

††† (a) On or before September 1 of each year make a full report to the state board of education of its operation for the preceding calendar year, which shall contain a complete and detailed financial report under the certificate of a certified public accountant, and shall also file with ~~such~~ said state board a copy of all reports and publications issued from time to time by such ~~organization~~ association.

††† (b) Be governed by a board of directors which shall exercise the legislative authority of the association and shall establish policy for said association. The board of directors of ~~any such organization~~ shall consist of not less than thirty ††† members. At least six ††† of such directors shall be members of boards of education, five ††† of whom shall be elected by the local boards of education in each of the five ††† congressional districts of the state and one ††† of whom shall be elected by all of the local boards of education in the state, and at least two ††† of such directors shall be representatives of the state board of education appointed by the state board of education for

terms of not to exceed three (3) years. The state shall be divided into six ~~(6)~~ districts of substantially equal student enrollments in grades 10 through 12, and each district shall be given equal representation on said board. An executive board which shall be responsible for the administration, enforcement and interpretation of policy established by the board of directors shall be elected selected from the membership of said board of directors ~~to~~. The executive board shall consist of not more than nine ~~(9)~~ and not less than seven members, at least one ~~(1)~~ of whom shall be a member of a board of education elected by the board of education members of such board of directors. An appeal board which shall be responsible for conducting hearings provided for in K.S.A. 72-134, as amended, shall be elected by the member schools of the association. The appeal board shall consist of nine members, five of whom shall be members of boards of education and four of whom shall be school administrators. No member of the board of directors shall be eligible for election to membership on the appeal board. The time and method of election and the terms of office of the members of the appeal board shall be established by the board of directors. Membership on the board of directors ~~and on~~, the executive board and the appeal board shall be ~~divided equally among groups of schools according to size~~ representative of all membership classifications of schools and of all geographical areas of the state insofar as possible.

~~(3) On or before July 1, 1969,~~ (c) On or before September 1, 1977, adopt amendments to its articles of incorporation and by-laws in conformity with the provisions of this act, as amended, and submit the same to the state board of education for its approval or disapproval. ~~Also~~ Any amendments, additions, alterations or modifications of such articles or bylaws made at any time shall first be submitted to the state board of education for its approval or disapproval. If any such articles of incorporation, bylaws or any amendment, addition or alteration thereto is disapproved by the state board of education, the same shall

not be adopted.

(d) Establish a system for the classification of member high schools according to student enrollments so that each such classification contains schools of substantially equal student enrollments.

(e) Be subject to the provisions of the Kansas open meetings act, and any amendments or supplements thereto.

Sec. 2. K.S.A. 72-131 is hereby amended to read as follows:  
72-131. Any association or corporation referred to in K.S.A. ~~72-131--as--amended~~ 72-130, and amendments thereto, which shall fail or refuse to comply with the provisions of this act, as amended, shall forfeit its right to do business and it shall be the duty of the attorney general to institute a proper proceeding to enforce such forfeiture and to have a receiver appointed to liquidate the affairs of such association or corporation. Any assets of such association or corporation remaining after such liquidation shall be paid over to the state board of education to be equitably distributed to the member schools.

Sec. 3. K.S.A. 72-132 is hereby amended to read as follows:  
72-132. On or after the effective date of this act, it shall be unlawful for any board of education of any school district, or for any school administrator or official of any school district to pay or authorize or approve the payment of any amount from any public or activity fund of the school district to a private association or corporation having for its purpose the promotion, development and direction of activities and contests between such schools in this state and which shall not comply with the provisions of K.S.A. 72-130 ~~and--72-131~~ to 72-134, inclusive, as amended. Any member of a board of education of any school district who shall vote to authorize or approve any such payment or any school administrator or official who shall pay or authorize or approve any such payment shall be personally liable for any amount so paid. Payment of dues to an organization association or corporation complying with the provisions of this act and the right of such association or corporation to receive and dispose

of any funds so received are hereby authorized.

Sec. 4. K.S.A. 72-133 is hereby amended to read as follows:  
72-133. As used in this act, unless the context otherwise indicates requires: (a) "Activities" means school activities and contests in the fields of athletics, music, forensics, dramatics and any other interschool extracurricular activities by pupils students enrolled in any of the grades from seven (7) to twelve (12), inclusive.

(b) "Board of education" means the board of education of a school district ~~or other~~ and the governing authority of any accredited nonpublic school.

(c) ~~"Board of education of any School district"~~ means the ~~board of education of a~~ any public school district.

Sec. 5. K.S.A. 72-134 is hereby amended to read as follows:  
72-134. (a) In accordance with such procedures as the board of directors shall prescribe, any student person aggrieved by any ~~rulings--or~~ decision of ~~such organization~~ the board of directors or the executive board of such association or any of its officers or employees may appeal therefrom by notifying the executive secretary of said ~~organization~~ association who shall arrange for a hearing for such appeals before ~~an~~ the appeal board ~~composed of five (5) members of the board of directors of the organization (none of whom shall be members of the executive board), three (3) of whom shall be members of boards of education to be selected by the members on the board of directors who are members of boards of education, and two (2) of whom shall be school administrators selected by the members of the board of directors~~ of such association, and said appeal board shall promptly and within ten (10) days hear ~~and determine~~ said appeal ~~and the decision of said appeal board shall be final.~~

(b) In the case of an appeal from a decision of the board of directors, notification of such appeal shall be filed within thirty (30) days from the date of publication of such decision. The appeal board shall render a written recommendation not later than thirty (30) days after the close of the hearing, setting

forth its findings of fact and recommendation as to the determination of the issues. The appeal board may recommend that the decision of the board of directors be sustained or that such decision be reconsidered and revoked, modified or amended. The appeal board may recommend to the board of directors proposed amendments or modifications of such decision, but the board of directors shall not be bound by the recommendations of the appeal board. The recommendations of the appeal board shall be submitted to the board of directors which shall, after considering the recommendations, make a final determination of the matter.

(c) In the case of an appeal from a decision of the executive board or any officer or employee of the association, notification of such appeal shall be filed within thirty (30) days from the date on which notice of such decision is received. The appeal board shall render a written decision not later than ten (10) days after the close of the hearing, setting forth the reasons for its decision and said decision of the appeal board shall be final.

(d) The hearing provided for in this section shall be an open hearing unless one or more of the parties to such hearing shall request that it be closed. A quorum of six members of the appeal board shall be required for the purpose of hearing any appeal under this section and a majority vote of the members present for such hearing shall be required for any action of the appeal board. No member of the appeal board shall in his or her capacity as such member participate in the hearing of any appeal or act upon any matter which involves or will affect any school with which such member is associated by reason of employment or the holding of the position of board of education member.

Sec. 6. K.S.A. 72-130, 72-131, 72-132, 72-133 and 72-134 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the statute book.