

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

The meeting was called to order by Representative Don Crumbaker at
Chairperson

3:30 ~~am~~/p.m. on February 29, 1984 in room 313-S of the Capitol.

All members were present except: Representative Harder, who was excused.

Committee staff present:

Avis Swartzman, Revisor of Statutes' Office
Ben Barrett, Legislative Research
Dale Dennis, State Department of Education
Judy Crapser, Secretary to the Committee

Conferees appearing before the committee:

Pat Baker, Kansas Association of School Boards
Jerry Schreiner, United School Administrators
Ken Rogg, Schools for Quality Education, also as an individual
Craig Grant, Kansas-National Education Association
Jack Hobbs, Superintendent at McPherson USD #418
Bill Curtis, Kansas Association of School Boards
Kathleen Homlish, State Department of Education
Larry Butler, Superintendent at Atchison USD #409
Bob Kelly, Kansas Independent College Association
Bob Harder, Secretary of State Rehabilitation Services
Wendell Yanke, Special Purpose School at KNI
Joan Strickler, Kansas Advocacy and Protective Services for the Developmentally Disabled, Inc.
Brent Glazier, Kansas Association for Retarded Citizens
Claudia Shover-Daily, Special Purpose School at KNI
Bruce Henoeh, Superintendent at Seaman USD #345
Mrs. Al Westling, Topeka parent
Abigail B. Calkin, Principal at Capital City Schools
Kay Sullinger, Public Information at KNI, USD #609
John Koepke, Kansas Association of School Boards

The Chairman called the meeting to order by opening the hearings for this day.

Pat Baker, Kansas Association of School Boards, testified in support of HB 3062 which authorizes boards of education to make payments from the capital outlay funds to sponsoring school districts under cooperative agreements or to boards of directors under interlocal agreements. She stated that this measure would allow the smaller districts which have the agreements in place to utilize more instructors and thereby provide broader and more advantageous curriculums.

The Chairman asked Ms. Baker if this was not now authorized. Ms. Baker responded that there was not a consensus that it would be allowed under Chapter 12, those capabilities being extremely limited.

Jerry Schreiner, United School Administrators, testified in support of HB 3062. He stated that the flexibility in this bill is needed for the interlocals to be fully effective.

Ken Rogg, testified as a private citizen in support of HB 3062. He did add that Schools for Quality Education also supports this bill, but he would like to go on record as an individual. He stated that an instance where this legislation would be very advantageous would be with a closed circuit video system for the visually impaired.

Craig Grant, Kansas-National Education Association, testified with concerns of HB 3062. He stated their major concerns deal with lines 34 through 37 dealing with expending of funds without any clear designations as to area of expenditure.

Jerry Schreiner, United School Administrators, testified in favor of HB 3067 which establishes a teaching and school administration professional standards advisory board and a professional practices commission. (ATTACHMENT I) Dr. Schreiner did suggest possible amendments to this legislation. (ATTACHMENT II)

Craig Grant, Kansas-National Education Association, testified in support of HB 3067. He stated there was a problem with a lack of funding for the job to be done now, he suggested

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that possibly the efforts could be combined to one board.

When the Chairman asked if K-NEA would support the amendments suggested by Dr. Schreiner, Mr. Grant answered they support the concepts, especially the composition of the boards.

Jack Hobbs, Superintendent at McPherson USD #418, testified in support of HB 3067. He stated that he liked the balanced board which would remain advisory to the State Board.

Bill Curtis, Kansas Association of School Boards, testified in support of HB 3067 with the amendments suggested by Dr. Schreiner. He stated that they felt it important that the professions have input on the board.

Kathleen Homlish, State Department of Education, offered remarks on HB 3067. (ATTACHMENT III) She added that this topic is on the State Board's agenda for the March 14 meeting.

Larry Butler, Superintendent at Atchison USD #409, testified in support of HB 3067. Dr. Butler added it would be helpful if this board would meet for more than three days out of the year as is the case now.

Bob Kelly, Kansas Independent College Association, testified with concern of HB 3067. He stated that they thought it was unfair for the independent college representative to be dropped from the board. He added that they felt the proper vehicle for this change would be the State Board.

Dr. Bob Harder, Secretary of State Rehabilitation Services, opened the hearing for HB 3075 with his testimony in support. (ATTACHMENT IV) HB 3075 would establish a special school district within the department of SRS. Dr. Harder stated that their major problem or concern is with the three Youth Centers at Atchison, Topeka and Beloit. He added that they would not have a problem with amending this bill to exclude all facilities except the Youth Centers.

Wendell Yanke, Special Purpose School at KNI, testified in opposition of HB 3075. (ATTACHMENT V)

Joan Strickler, Kansas Advocacy and Protective Services for the Developmentally Disabled, Inc., testified in opposition of HB 3075. (ATTACHMENT VI)

Brent Glazier, Kansas Association for Retarded Citizens, testified with concerns of HB 3075. (ATTACHMENT VII) Mr. Glazier added that the Association would support the legislation if the amendment were adopted to delete all facilities except the three Youth Centers.

Claudia Shover-Daily, Special Purpose School at KNI teaching staff, testified in opposition of HB 3075. (ATTACHMENT VIII)

Dr. Bruce Henoch, Superintendent at Seaman USD #345, testified on behalf of SRS in support of HB 3075. He related their problem of how to pay for out-of-state educational fees that are the responsibility of Kansas. He added that he believed this legislation would accomplish the needs that are present at this time.

Mrs. Al Westling, a Topeka parent and constituent of Representative Marvin Smith, testified in opposition of HB 3075. She stated that with the system as it is now, they are fully satisfied as parents, and would not like to see the system changed.

Abigail B. Calkin, principal at Capital City Schools, testified in opposition of HB 3075. (ATTACHMENT IX) Dr. Calkin added that if the changes were made as in the proposed amendments, there would be no incentive to stop with the Youth Centers, therefore they would oppose the amendments also.

Kay Sullinger, Public Information at KNI, USD #609, testified in opposition of HB 3075. (ATTACHMENT X)

John Koepke, Executive Director of Kansas Association of School Boards, testified in opposition of HB 3075. He stated that he did not think that SRS was ready to be subject to the same open access laws and such that they would be subject to if this legislation were to pass. He stated that this legislation was put together a little too quickly, they would suggest that all of the ramifications should be studied in depth before this bill is considered.

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Craig Grant, Kansas-National Education Association, testified in opposition of HB 3075. He stated that they had not seen any evidence of a problem with the present system. Therefore, they would like to see the situation kept as it is.

Jerry Schreiner, United School Administrators, testified with comments on HB 3075. He suggested rather than to provide a separate school district, a better avenue would be to provide enabling legislation to handle the specific problems mentioned by Dr. Harder.

Written testimony was presented to the committee from Don Jernberg, Chairman of KNI Citizens Advisory Council, in opposition of HB 3075. (ATTACHMENT XI)

The Chairman related to the committee a telephone message from Elaine Beckers Braun, Kansas Association of School Patrons, expressing her opposition of HB 3075.

The Chairman adjourned the meeting at 5:32 p.m.

The next meeting of the committee will be March 1, 1984 at 3:30 p.m.

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GUEST REGISTER

HOUSE

EDUCATION COMMITTEE

NAME	ORGANIZATION	ADDRESS
Craig Grant	K-NEA	Lawrence
Judy Taylor	Shawnee Mission NEA	Mission
Ken Rags	Paola	L O E
Patricia Landis	USD 345 Seaman	Topoka
Colene Keltner	USD 437 Pub. Workers	Topoka
Phillip Elliot	Ks. Dept. of Educ.	Topoka
Claudia Shover Daily	USD 609 at KNI	Topoka
Wendell Gardner	USD #609 at KNI	Topoka
Nancy Pottowam	USD #609 at KNI	Topoka
Susan Ohse	USD #609 at KNI	Topoka
Betty Blair	USD 501	Topoka
Don Jernberg	KNI Citizens Advisory Council	Topoka
Sid Edwards	USD 609 @ KNI	Topoka
Debby Mason	USD 609 @ KNI	Topoka
Carolee Jorgensen	USD 609 @ KNI	Topoka
Charlene Westberg	Parent #609 KNI	Topoka
David DeMoss	PSC	Greenbush, KS
James Marshall	KSDS	Topoka
William Wilson	USD #250	Perkins
Philip J. Dool	USD 501 CCHS	Topoka
Mary Kay Good	USD 501 CCHS	Topoka
Bob Kelly	KS Independent Colleges	Topoka
Julia Lewis	USD 501 CCHS	Topoka
Ruth Brown	Keary	Topoka

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GUEST REGISTER

HOUSE

EDUCATION COMMITTEE

NAME	ORGANIZATION	ADDRESS
<i>Jack Jones</i>	USD 501 - CCMS	<i>Joplin</i>
<i>Suzan Turner</i>	USD 501 CCMS	Topoka
<i>Linnard Alshood</i>	KWSP	Topoka
<i>Terry Bachus</i>	McPherson Co Sp Ed	McPherson
<i>Bruce Passman</i>	USD #1497	Lawrence
<i>L. Hornick</i>	" "	" "
<i>Don Herbel</i>	USD #497	Lawrence
<i>Elaine Brock</i>	<i>Joplin Co Community College</i>	Lawrence
<i>W. W. Glat</i>	USD #609 KNT	Topoka
<i>Wendy Clayton</i>	USD #609 KNT	Topoka
<i>Yvonne R. [unclear]</i>	University of Kansas Spec Ed	Lawrence
<i>Lesley Saunders</i>	USD #609 @ KWI	Topoka
<i>Wanda Barrett</i>	USD #609 @ KNT	Topoka
<i>Porrim Riggs</i>	USD #609 KNT	Topoka
<i>Dorotha Ebenberg</i>	USD #609 KNT	Topoka
<i>Ed Snares</i>	ACAP	PEPPY
<i>Rosane Wilson</i>	USD #609 KNT	Topoka
<i>Jay Sussinger</i>	Advisory Council Spec Ed & KWI	Topoka
<i>Phyllis Schmidt</i>	USD #609 KNT	Topoka
<i>Nancy Callahan</i>	USD #609 KWI	Topoka
<i>Nancy Slack</i>	USD 609 KWI	"
<i>Joleen Saunders</i>	USD 609 KWI	"
<i>Sue Erickson</i>	USD 609 KWI	"
<i>Jewel K. Kins</i>	<i>Branch of [unclear]</i>	Lawrence

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GUEST REGISTER

HOUSE

EDUCATION COMMITTEE

NAME	ORGANIZATION	ADDRESS
Chip Wheeler	—	Topeka
Kathleen Robinson	Kan. St. Dept. of Education	Topeka
Rodt. Huda	SRS	Topeka
Bob Barnum	SRS	"
Carolyn S. Platt	Capital City Schools	2700 W 6th Topeka
Burt G. Hauser	Kansas ARC	1111 W. 59th Terr. SHAWNEE, Ks 66202
Beth W. Quinn	Am. Acad. Min. Prof.	Topeka
Ellen G. Hancock	Ks. Coalition for Children	
John Kuyler	KASB	Topeka
John Chisholm	KAPS	Manhattan
Rat Barber	KASB	Topeka
Bill Starks	U.S.M. 259	Wichita
Mary Ellen Simon	LG of Women Voters	Topeka
Bill Curtis	KASB	Topeka
Jack L. Walker	USD 415	McPherson
Gerry Schreiner	USA	Topeka
Walter Leggett	USA	Topeka
Laurence Butler	USD 409	ATCHISON
Harold Pitts		Topeka
Bob Houston	Gov. office	Topeka
Ann C. Rouse	USD 501H	Topeka



UNITED SCHOOL ADMINISTRATORS OF KANSAS

1906 EAST 29TH

TOPEKA, KANSAS 66605

913-267-1471

JERRY O. SCHREINER
EXECUTIVE DIRECTOR

M.D. "MAC" McKENNEY
ASSOCIATE EXECUTIVE DIRECTOR

TO: House Education Committee

FROM: Jerry O. Schreiner

DATE: February 29, 1984

SUBJECT: HB 3067 - Professional Standards Board and Professional Practices Commission

The United School Administrators of Kansas supports HB 3067 with suggested amendments.

1. Professional Standards Board:

- A. One Professional Standards Board will be more efficient, more consistent, and will avoid unnecessary duplication of effort.
- B. The board would consist of 17 members. The composition would be as follows:
 - six public school classroom teachers
 - six public school administrators
 - one non-public classroom teacher from an accredited school
 - one non-public administrator from an accredited school
 - one dean or head of a school of education from a state university
 - one parent-teacher organization representative (not having been employed in schools or having served on a local board)
 - one member of a local board of education
- C. The responsibilities and function of the Professional Standards Board must be limited to areas directly related to certification. In addition, the Standards Board should be responsible for recommending a code of ethics (conduct), competencies for educators, and guidelines to be followed by the Practices Commission.
- D. The method of selecting representatives to serve on the Standards Board must be changed in order to eliminate the "power struggles" which presently exist. The board must be a non-political, professional body.
- E. The board would remain advisory to the State Board of Education.

2. Professional Practices Commission:

- A. The composition of the commission would be as follows:
 - four classroom teachers
 - four administrators
 - one dean or head from a school of education from a state university
 - one board of education member
 - one representative from a parent-teacher organization (not having been employed in schools or having served on a local board of education)
- B. The function and/or purpose of the commission must be carefully reviewed and defined in specific terms. The commission must be a judicial body following guidelines recommended by the Professional Standards Board and approved by the State Board of Education.
- C. The method of selecting representatives must be changed to eliminate the politics that have been created.
- D. The commission would remain advisory to the State Board.

0046 higher learning postsecondary education; and
0047 (2) have at least five (5) years' professional educational ex-
0048 perience; and

0049 (3) have been in active practice the immediately preceding
0050 three (3) years and at the time of appointment.

0051 (4) (c) The state board of education shall obtain nominees for
0052 the teaching professional standards board from the segments
0053 sectors of the profession to be represented on the teaching
0054 professional standards board, as specified in subsection (e) of
0055 this section, according to rules and procedures established by
0056 the state board of education, except for ex officio positions.

0057 (e) (d) The appointments made by the state board of educa-
0058 tion shall reflect due consideration for representation be repre-
0059 sentative of the various elements of the teaching profession
0060 educational community, and shall include at least the following:

0061 (1) Seven Four classroom teachers (two from elementary
0062 schools, two from junior high or middle schools, two from high
0063 schools and one from nonpublic schools) from the public schools
0064 of whom at least one shall be an elementary school teacher, at
0065 least one shall be a junior high or middle school teacher and at
0066 least one shall be a senior high school teacher.

0067 (2) One chief school administrator from the public schools.

0068 (3) One Three building level school administrator adminis-
0069 trators from the public schools of whom one shall be an ele-
0070 mentary school administrator, one shall be a junior high or
0071 middle school administrator and one shall be a senior high
0072 school administrator.

0073 (4) One representative of the instructional staff of an area
0074 vocational school or an area vocational-technical school.

0075 (5) One special education teacher from the public schools.

0076 (5) (6) One representative of the faculty or administration of
0077 a public community junior college.

0078 (6) (7) One representative of the faculty or administration of a
0079 private four-year college or university.

0080 (7) (10) One dean or head of the department school of education
0081 of a university under the supervision and control of the state
0082 board of regents.

teacher from

administrator from an area vocational school or
area vocational-technical school.

(7) One special education administrator from the
public schools.

(8) One non-public classroom teacher from an
accredited school.

(9) One non-public administrator from an accredited school

(10)

0083 ~~(8)~~ One representative of the membership of a parent-teacher
0084 association *who has never served on or been employed by a*
0085 *board of education.* (11)

0086 ~~(9)~~ One person who is a member of the board of education of
0087 a school district. (12)

0088 ~~(10)~~ ~~(c)~~ The commissioner of education or a member of the
0089 staff of the state department of education recommended by the
0090 commissioner shall serve the teaching standards board as secre-
0091 tary. (e) The representatives appointed under paragraphs (10),
(11), and (12) shall serve as non-voting advisory
members. (f)

0092 ~~(g)~~ Nothing in this act shall be construed as abolishing the
0093 existing teaching standards board or as recreating the same.

0094 Sec. 2. K.S.A. 72-8503 is hereby amended to read as follows:
0095 72-8503. (a) There is hereby established a professional teaching
0096 practices commission to be comprised of seventeen (17) consist
0097 of 14 members appointed by the state board of education as
0098 provided in subsection (d) of K.S.A. 72-8502.

0099 (b) Candidates for the practices commission, *with the excep-*
0100 *tion of members appointed under paragraphs (10) and (11) of*
0101 *subsection (d), shall have the following qualifications:*

0102 (1) Either *be* (A) ~~be~~ certificated and actively practicing in
0103 Kansas, or (B) ~~be~~ a member of the faculty of an institution of
0104 ~~higher learning postsecondary education~~; and

0105 (2) have at least five ~~(5)~~ years' professional educational ex-
0106 perience; and

0107 (3) have been in active practice the immediately preceding
0108 three ~~(3)~~ years and at the time of appointment.

0109 (c) *The state board of education shall obtain nominees for*
0110 *the professional teaching practices commission from the sectors*
0111 *of the profession to be represented on the commission according*
0112 *to rules and procedures established by the state board.* delete

0113 ~~(e)~~ (d) The appointments made by the state board of educa-
0114 tion shall ~~reflect due consideration for representation~~ *be repre-*
0115 *sentative of the various elements of the teaching profession*
0116 *educational community, and shall include at least the following:*

0117 (1) ~~Eight~~ *Four* classroom teachers (~~elementary, junior high~~
0118 ~~school, high school or junior college, including specialized non-~~
0119 ~~administrative personnel~~) *from the public schools of whom at*

0120 *least one shall be an elementary school teacher, at least one shall*
0121 *be a junior high or middle school teacher and at least one shall*
0122 *be a senior high school teacher.*

0123 (2) One chief school administrator from the public schools.

0124 (3) One senior high school principal from the public schools.

0125 (4) One junior high or middle school principal from the
0126 public schools.

0127 (5) One elementary school principal from the public schools.

0128 ~~(6) One vocational education administrator or teacher.~~

0129 ~~(7) Three persons chosen without regard to the qualifications~~
0130 ~~specified in this subsection One special education administrator~~
0131 ~~or teacher from the public schools.~~

delete

0132 ~~(8) A member of the staff of the state department of education~~
0133 ~~as recommended by the commissioner of education One repre-~~
0134 ~~sentative of the faculty or administration of a public community~~
0135 ~~college.~~

6136 ~~(9)~~ One dean or head of the school of education of a univer- (6)
0137 sity under the supervision and control of the state board of
0138 regents.

0139 ~~(10)~~ One representative of the membership of a parent- (7)
0140 teacher association who has never served on or been employed
0141 by a board of education.

0142 ~~(11)~~ One person who is a member of the board of education (8)
0143 of a school district.

0144 ~~(d)~~ ~~The~~ (e) The commissioner of education or a member of
0145 the staff of the state department of education appointed under
0146 paragraph (8) of subsection (e) recommended by the commis-
0147 sioner shall serve the practices commission as secretary.

0148 Sec. 3. K.S.A. 72-8504 is hereby amended to read as follows:
0149 72-8504. After appointment of the initial members as soon as
0150 practicable after the effective date of this act, later appoint-
0151 ments to full or unexpired terms of members to the teaching
0152 professional standards board; the administrator standards board,
0153 and the professional practices commission shall be made by the
0154 state board of education following the same procedure as that
0155 provided in K.S.A. 72-8502, 72-8502a and 72-8503, and amend-
0156 ments thereto.

0157 Sec. 4. K.S.A. 72-8505 is hereby amended to read as follows:
 0158 72-8505. The ~~teaching professional~~ standards board shall have
 0159 the following responsibilities and duties:

0160 (a) To develop through the *professions of teaching profes-*
 0161 ~~sion and school administration~~ and recommend for adoption, or
 0162 amendment and adoption, by the state board of education the
 0163 rules and regulations for professional standards governing
 0164 *teacher and school administrator* pretraining selection, *teacher*
 0165 *and school administrator* preparation, admission to and contin-
 0166 uance in the practice of teaching *and school administration*.

0167 Nothing ~~herein in this section~~ shall be construed to preclude the
 0168 state board of education from initiating and adopting rules and
 0169 regulations on the matters specified in this section, irrespective
 0170 of any action or lack thereof by the ~~teaching professional stan-~~
 0171 ~~dards board~~. However, in such instance, the proposed rule and
 0172 regulation governing a matter specified in this subsection ~~(a)~~
 0173 shall be submitted to the ~~teaching professional~~ standards board
 0174 for its recommendation at least ~~thirty (30)~~ 30 days prior to a
 0175 motion for adoption by the state board of education. Notwith-
 0176 standing the foregoing provisions of this subsection ~~(a)~~, if the
 0177 state board of education finds that an emergency exists, it may
 0178 immediately adopt any ~~rule and regulation~~ *rules and regulations*
 0179 without ~~such~~ submission to the ~~teaching professional~~ standards
 0180 board and without ~~such a~~ waiting period.

0181 (b) To confer on a professional advisory basis with the state
 0182 board of education on all other matters concerning education and
 0183 the ~~teaching profession~~ *professions of teaching and school ad-*
 0184 *ministration*.

0185 (c) To make recommendations to the state board of educa-
 0186 tion, state board of regents, institutions of ~~higher education~~
 0187 *postsecondary education*, local boards of education, the legisla-
 0188 ture, state officials, and other individuals or groups regarding
 0189 matters to improve education.

0190 (d) To develop ~~advisory guidelines with respect to profes-~~
 0191 ~~sional employment practices~~ and recommend to the state board
 0192 of education for adoption thereby a code of professional re-
 0193 sponsibility and competency for teachers and school adminis-

, and teacher and administrator continuing education.

delete

0194 *trators.*

0195 Sec. 5. K.S.A. 72-8506 is hereby amended to read as follows:

0196 72-8506. The *professional* practices commission shall exercise
 0197 disciplinary and advisory functions and shall hear cases arising
 0198 under rules and regulations adopted under subsection (a) of
 0199 K.S.A. 72-8505, and amendments thereto, ~~and under subsection~~
 0200 ~~(a) of K.S.A. 72-8505a~~ involving the issuance, continuance, sus-
 0201 pension, revocation, or reinstatement of teachers' and *school*
 0202 administrators' certificates and make recommendations to the
 0203 state board of education for disposition thereof, and the state
 0204 board of education shall determine such cases, with or without
 0205 additional hearing. The practices commission may conduct,
 0206 *upon request and at the direction of the state board of educa-*
 0207 *tion*, investigations of departures from the ~~advisory guidelines~~
 0208 ~~adopted code of professional responsibility and competency~~
 0209 *which may be adopted by the state board of education upon*
 0210 *recommendation made* under subsection (d) of K.S.A. 72-8505,
 0211 and amendments thereto, ~~and under subsection (d) of K.S.A.~~
 0212 ~~72-8505a~~ and report its findings thereon to the state board. The

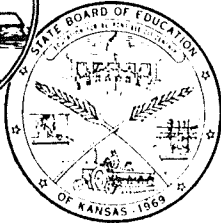
0213 practices commission shall make recommendations to the state
 0214 board of education on such other matters and measures as may be
 0215 necessary to improve ~~education~~ *the educational system of this*
 0216 *state.*

delete

0217 Sec. 6. K.S.A. 72-8507 is hereby amended to read as follows:

0218 72-8507. (a) The *professional* practices commission shall have
 0219 responsibility, power and authority to investigate problems re-
 0220 lating to the ~~teaching profession, including the matters specified~~
 0221 in K.S.A. 72-8506, and amendments thereto. Nothing ~~herein in~~
 0222 *this section* shall be construed to preclude the state board of
 0223 education from initiating and adopting rules and regulations on
 0224 ~~the matters specified in this section relating to the professions of~~
 0225 *teaching and school administration*, irrespective of any action or
 0226 lack thereof by the *professional* practices commission, ~~subject to~~
 0227 ~~the provisions of subsection (a) of K.S.A. 72-8505, and amend-~~
 0228 ~~ments thereto, and of subsection (a) of K.S.A. 72-8505a.~~

0229 (b) The practices commission shall have, *upon request and at*
 0230 *the direction of the state board of education*, the responsibility,



Kansas State Department of Education

Kansas State Education Building

120 East 10th Street Topeka, Kansas 66612

TO: Harold L. Blackburn, Commissioner of Education

FROM: Sharon Freden, Assistant Commissioner, Education Services Division
Kathleen A. Homlish, Director, Certification and Teacher Education Section

SUBJECT: Recommended Alternatives to the Existing Two Professional Standards Advisory Boards and the Practices Commission

DATE: February 28, 1984

The formation of two professional standards advisory boards in 1969 created a situation which resulted in considerable duplication of function and effort on the part of the two boards. This also required extensive coordination demands on State Department staff as well as duplication of effort for them. At this time the Legislature is studying the possibility of eliminating several boards created by statute which are advisory to state agencies.

In light of these facts, the Certification and Teacher Education Section presented a proposed position paper regarding a single Professional Standards Advisory Board to the State Board of Education at its January 1984 meeting. This alternative and other possible alternatives to the existing two Professional Standards Advisory Boards and the Practices Commission are presented on the attached paper.

This paper summarizes the present situation regarding the Advisory Boards and the Practices Commission and also briefly explains some recommendations which would allow the functions of the existing boards to be discharged but would require a change in structure and would reduce the membership numbers. Another recommendation is to change the composition of the Standards Board and Professional Teaching Practices Commission, reduce the membership numbers, and change the names.

State Department of Education staff recommend that one professional standards advisory board replace the existing two boards and be called the Professional Educators' Standards Advisory Board, and the name of the Professional Teaching Practices Commission be changed to the Professional Educators' Practices Commission, that the composition of the Commission be changed, and that its membership numbers be reduced.

SF/KH/JH/blf/6

Attachments: Summary of Existing Professional Standards Advisory Boards and Practices Commission and Recommended Alternatives

ATTACHMENT III

HOUSE EDUCATION
2-29-84

SUMMARY OF EXISTING
PROFESSIONAL STANDARDS ADVISORY BOARDS
AND PRACTICES COMMISSION

Present Status:

Professional Teaching Standards Advisory Board

Function: Advise the State Board of Education regarding standards for initial preparation, continued professional development and certification of teachers.

Number of members and representation: 15 members

2 Elementary classroom teachers	1 Community college administrator or instructor
2 Junior high classroom teachers	1 Private four-year college administrator or instructor
2 Senior high classroom teachers	1 Regent's dean of education
1 Non-public school classroom teacher	1 Parent-teacher organization representative
1 Superintendent	1 Local board of education representative
1 Building principal	
1 Vocational school instructor	

Selection process: Professional organizations are requested to provide the names of three candidates for each vacant position. These names are submitted to the State Board of Education which appoints one.

Number of meetings per year: 3

School Administrators Professional Standards Advisory Board

Function: Advise the State Board of Education regarding standards for initial preparation, continued professional development, and certification of school administrators

Number of members and representation: 13 members

3 Superintendents	1 Community college administrator or instructor
1 Elementary principal	1 Regent's dean of education
1 Junior high principal	1 Parent-teacher organization representative
1 Senior high principal	1 Local board of education representative
1 Non-public school administrator	
2 Public school classroom teachers	

Selection process: Professional organizations are requested to provide the names of three candidates for each vacant position. These names are submitted to the State Board of Education which appoints one.

Number of meetings per year: 3

Professional Teaching Practices Commission

Function: Exercise disciplinary and advisory functions; hear cases involving the issuance, continuance, suspension, revocation, or reinstatement of teachers' and administrators' certificates and advise the State Board of Education regarding the disposition of these cases; make recommendations to the State Board of Education on other matters necessary to improve education.

Number of members and representation: 16 members

2 Elementary classroom teachers	1 Chief school administrator
2 Junior high classroom teachers	1 Elementary principal
2 Senior high classroom teachers	1 Junior high principal
2 Community college classroom teachers	1 Senior high principal
1 Vocational school administrator or teacher	3 Educators from other segments of the profession

Selection process: Professional organizations are requested to provide the names of three candidates for each vacant position. These names are submitted to the State Board of Education which appoints one.

Number of meetings per year: 4

RECOMMENDED PROFESSIONAL EDUCATORS' STANDARDS ADVISORY BOARD
AND PROFESSIONAL EDUCATORS' PRACTICES COMMISSION

Recommended Alternative:

One Professional Educators' Standards Advisory Board plus the Professional Educators' Practices Commission (With Reduced Membership Numbers and Changed Composition).

Recommended Single Professional Educators' Standards Advisory Board

Proposed function: Discharge the functions of both existing Professional Standards Advisory Boards.

Proposed number of members and representation: 17 members

2 Elementary classroom teachers	1 Senior high principal or assistant principal
1 Junior high/middle school classroom teacher	1 Non-public school administrator
1 Senior high classroom teacher	1 Regent's dean of education or assistant/associate dean
1 Non-public school classroom teacher	1 Independent college head of education department
1 Specialized non-administrative person	1 Vocational technical school teacher
1 Superintendent or assistant superintendent	1 Community college president or dean
1 Elementary principal or assistant principal	1 Local school board member
1 Junior high/middle school principal or assistant principal	1 Parent-teacher organization member

Proposed selection process: Same as for the existing Standards Boards.

Proposed number of meetings per year: 4

Recommended Professional Educators' Practices Commission

Proposed functions: Same as those of the existing Practices Commission.

Proposed number of members and representation: 11 members

1 Elementary classroom teacher	1 Elementary principal or assistant principal
1 Junior high/middle school classroom teacher	1 Junior high/middle school principal or assistant principal
1 Senior high classroom teacher	1 Senior high principal or assistant principal
1 Non-public school classroom teacher	1 Non-public school administrator
1 Vocational school instructor	1 Specialized non-administrative person
1 Superintendent or assistant superintendent	

Proposed selection process: Same as for the existing Practices Commission.

Proposed number of meetings per year: 4

MEMORANDUM

FROM: Robert C. Barnum *RCB*
TO : Dr. Robert C. Harder

DATE : February 29, 1984

SUBJECT: HB 3075 Special School District

The following information is provided as background information concerning the recommended establishment of a special school district within SRS.

Tab A Suggested Handout Summary

Tab B Suggested Testimony

Tab C Ten-State Survey

Tab D Letter from Marillac

Tab E Illinois letter denying non-resident school enrollment
without payment

Tab F Current Kansas City Metropolitan Placements

RCB:psm

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

Statement Regarding House Bill 3075

1. Title of Bill:
An act establishing a special school district within the Department of Social and Rehabilitation Services.
2. Purpose of Bill:
To establish an organizational unit within SRS to function as an independent school district. The school district would have the authority to contract with existing schools or interlocals or operate special purpose schools at SRS institutions. The bill enables SRS to pay for education services to youth placed by it in Kansas City, Missouri, residential treatment facilities.
3. Why the Bill:
The creation of special school district to administer SRS's educational program would provide a mechanism to address several pressing issues. There are two major program areas that need attention: reimbursement of tuition expenses for Kansas residents placed in out of state placements; and the development of a central locus of control for the special purpose schools located at the state institutions. These issues are complex and cannot be adequately addressed with existing administrative structures. The issue of how to pay for out of state placements is a chronic problem that has resulted in the loss of some placement resources in the Kansas City metro area. The state institution educational programs are administered under contracts developed with local school districts. While these arrangements provide for an adequate staff, they do not mesh well with the budget process. Another area of concern with the individual contracting system revolves around who is ultimately responsible for policy guidelines, program management, planning, and administrative controls.
4. Background of the Bill:
The suggested creation of a Special School District within the Department of SRS would provide the appropriate administrative structure to address the problems mentioned above. The issues of out of state tuition and administrative control of the special purpose schools has been a subject of considerable exploration for some time. The development of a special school district under the supervision of the Commissioner of Youth Services provides a central locus of control for all state institution schools. The district is empowered to continue existing contractual arrangements with other school organizations for the delivery of educational services or to provide those services directly. This enables the special school district to select the service delivery system which best serves the diverse population needing services. This would settle the issue of who is responsible for the full range of administrative functions. It would provide a stable budget process that would be synchronized with the SRS/State budget cycle.

It would also address the education issue for youth placed by SRS in Kansas City, Missouri, residential treatment facilities. The SRS school district would receive the initial funds and reimburse the out of state district via a contractual arrangement.
5. Possible Problems with the Bill:
This represents a new way to do business which will change some relationships around the operation of state institutions.
6. SRS Recommendation:
 - A. Amend Section 4(a) to include in the definition of pupil a group of youth to be designated by the Commissioner of Youth Services who are placed in

residential treatment facilities in Kansas and in Kansas City, Missouri. This is a technical ammendment needed for compatibility with Section 6(b)(2) which enables contracting with those facilities for services to pupils.

Suggested Language:

Sec. 4(a) "Pupil" means any person who is under the age of 22 years, is housed and maintained at a state institution or is in the custody of SRS and designated as a pupil by the Commissioner of Youth Services, and is enrolled in educational programs and receiving education services provided for by the SRS special school district.

- B. Ammend Sec. 6(b)(2) by including Board of Regents institutions in the list of those the school district may contract. This ammendment will permit the special school district to contract for inservice training from Regents institutions and to contract for services to students. The major concern is not to be excluded from using the services of the Vocational Technical Institute at Pittsburg State University.
- C. Strong support.

Robert C. Harder, Secretary
Office of the Secretary
Social and Rehabilitation Services
296-3271

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

Testimony Regarding H.B. 3075

This bill proposes establishment of an organizational unit within the Department of Social and Rehabilitation Services which would function as a special school district. This school district would function as the centralized element dealing with school issues throughout our state institutions. It would further provide an educational contracting mechanism to pay for educational services to youth placed within the Kansas City metropolitan area.

The arrangements proposed will allow a more highly coordinated and integrated approach to youth center educational programs than currently exists in dealing with multiple local school districts. It will allow institutional administrators to develop clear cut policies and procedures regarding all program elements and provide a better integration of program objectives.

The school district proposed would be primarily involved with the operation of our youth center educational programs. This student body represents a population which has generally failed within the traditional school environment. They are needful of socialization and life coping skills and an opportunity to focus on job related vocational skills if they hope to succeed in society after release. While our arrangements with local school districts offers a "smattering" of such programs, they are varied and not the main thrust of the local school district's orientation. This proposal would allow us to proceed in a unified manner to address and coordinate these goals.

A second purpose we see this legislation serving is the resolution of the payment of educational costs for children in the custody of SRS who for

varied reasons have been placed in special care facilities in the Kansas City metropolitan area. These are facilities of national reputation who deal with emotionally disturbed groups of children. Over the past few years we have attempted to develop payment mechanisms for educational services with the Kansas Department of Education. While they voice sympathy and acknowledge the validity of the issue, resolution resides with local school districts who are funded to handle such situations. The local districts commonly indicate that they have their own special education programs and if SRS sees fit to move the child, we should be totally responsible. Our need to move of course is based on multiple factors and not just the educational needs.

We are at a point where this issue needs resolution. In your handout you will find a recent letter to Governor Carlin from the Marillac Center for Children in reference to educational costs.

The proposal is not an unusual approach to dealing with education within juvenile offender institutions. In a random survey of ten states, we found nine out of ten operate under such arrangements. In the one that does not, Utah, the Department of Education serves as a central manager.

This proposal does not anticipate changes within our other state institutions. We have an interlocal arrangement with School District #609 which serves our mental retardation facilities well, and we would hope to continue such arrangements. Similarly, our contracts with the Capital School District at Topeka State Hospital and others would remain in place.

Two technical amendments we would suggest is to broaden the Section 4(a) definition of pupil to include "such other persons in the custody of the Secretary of SRS as defined by the Commissioner of Youth Services." This would allow inclusion of those children in the Kansas City metropolitan institutions.

The second amendment would be to add Board of Regents institutions to the list of organizations in Section 6(b)(2) that the school district might contract with.

Robert C. Harder, Secretary
Social and Rehabilitation Services
February 29, 1984

MEMORANDUM

FROM: Ben Coates *BC*
TO: Robert Barnum

DATE: January 19, 1984

SUBJECT: School Programs in Other States

I contacted ten states to find out how they administer their juvenile offender education programs. The states contacted were:

1. Iowa
2. Nebraska
3. Utah
4. Oregon
5. Maryland
6. Nevada
7. New Mexico
8. Illinois
9. California
10. Texas

Utah was the only state that contracts with local school districts, the other nine run their own school programs. In Utah the State Department of Education provides the educational programming and contracts with local school districts to deliver the actual instructions.

While there were some slight variations among the centralized program states, almost all of them provided a twelve month program, they were accredited, their teachers were certified, and they were in compliance with PL-94-142. They all cited the ability to control their budget and to provide uniform services as primary strengths of their programs. Several states reported the ability to shift resources from site to site due to changes in programming needs. Most of the states have teachers on the state merit system, but there were several variations as to how salary schedules were established, ranging from floating with local school districts to being classified on a salary range like all other state employees.

When asked if they would like to alter their method of operation and go to a local school district contract option, none of the states saw that as a desirable option. Several of them reported trying local contracts without a great deal of success due to a lack of administrative control of resources.

A brief sketch of each of the ten states contacted follows:

Iowa

They have a self-contained program that provides a twelve month academic and vocational education program. All teachers are certified, they have a chapter one program and their school is reviewed by the State Department of Public Instructions.

Teachers are under civil service, but their salaries are adjusted to the local school district.

Nebraska

Nebraska has a separate school district for their institutional programs. They offer a year round school program, but it is divided into two segments, a nine month segment and a two month summer school. They issue some eleven month contracts, some for nine months and a few for two months of summer school. They operate a relaxed schedule during the summer and concentrate on electives.

Their teachers are under contract and bargain for salaries. The teachers are certified and the school is accredited by the Department of Education as a special purpose school. They have a Chapter I Program and meet the mandates of PL 94-142.

Utah

The State Department of Education took over the operation of the school programs about four years ago. They contract with local school districts to provide services.

The major reason for the transfer was to maximize the federal participation in the school budget. The juvenile corrections agency is not involved in the budget process nor the day to day operation of the schools.

Oregon

The schools are operated by the state juvenile justice agency. Teachers are civil service, but their salaries are pegged to local school districts.

All teachers are certified and the schools are accredited by the state department of education. They operate a Chapter I program and are in compliance with the P.L. 94-142.

Maryland

There was a recent attempt to remove the education program from the juvenile justice agency, and place it under the administrative control of the state department of education. They were able to make a persuasive enough agreement to the legislature to keep the control of the schools within the juvenile justice agency. Their major argument was that they needed the power to control budgets, manpower and programs.

The teachers are state employees, their salaries are adjusted to local school districts and they must be certified.

They run a twelve month educational program that is accredited by the state department of education. They have a chapter one program and meet the mandates of PL-94-142.

Nevada

They operate an independent school district, they hire certified teachers who are under the state merit system. They operate a twelve month state department of education accredited special purpose school. They abide by most of the regulations of other school districts.

They also contract with a local school district for services in one of their smaller facilities. They are going to bring this facility under their school district in the near future. They reported several problems with their local school district, namely a lack of control of personnel and the budget.

New Mexico

They operate their own school system, that is accredited by the state department of education. They only hire certified teachers and sign individual contracts with them. They operate a twelve month school but divide the year into a regular session and a summer session, thus some teachers only work nine months and other work eleven.

They operate a chapter one program and meet the mandates of PL 94-142.

Illinois

They operate their own school district with a school board made up of appointees and ex-officio members. They made the switch in 1975 to gain control over their budget and their programs.

They operate twelve month schools, teachers are employed by the state and are under a state pay schedule. The teachers are certified and the school is accredited by the state department of education.

California

They operate what they term a limited school district, essentially it is a hybrid of a independent school district and a state operated special purpose school. They hire certified teachers and are accredited by the state department of education.

They operate the district out of the central office under an education director. They have a chapter one program and meet the mandates of PL 94-142.

Texas

They operate their own school district under the control of a central office educational administrator. They have a central budget process where funds are allocated to individual programs throughout the state.

They operate 12 month schools, teachers are state employees and must be certified. The schools are accredited by the state department of education.

BC:wjf

Marillac Center for Children

January 4, 1984

RECEIVED
KANSAS

JAN 9 12 05 PM '84
OFFICE OF THE GOVERNOR

46323

Governor John Carlin
State Offices
Topeka, Kansas 66212

*SRS
payment*

Dear Governor Carlin:

I need your help. I am the Executive Director of Marillac Center for Children in Jackson County, Missouri. Marillac is a psychiatric residential and day treatment center for seriously emotionally disturbed and behaviorally disordered children ages six through thirteen. Marillac is licensed by Missouri's Division of Family Services and has purchase of services agreements with Missouri's Department of Mental Health and Kansas' Social and Rehabilitation Services. We are classified as a "Level 5" facility by the State of Kansas.

For many years Marillac has been providing care, treatment and special education for many Kansas children placed in our facility by Kansas Social and Rehabilitation Services. These children are placed in our facility because they require the intensity and scope of services that we offer for severely disturbed children.

The problem is that while Kansas SRS pays for the care and treatment of the Kansas children placed in our facility, no one is paying for the special education services provided for these children. For several years we have tried to work with SRS, Kansas local school districts and the Kansas State Department of Education to arrange educational funding for the Kansas children in our facility. SRS correctly maintains the position that they are responsible for funding care and treatment for Kansas children, but are not responsible for funding educational services. At the same time, we have been unsuccessful in securing educational funding for these Kansas children from either the local Kansas school districts from which these children came or from The Kansas State Department of Education.

Marillac's cost of providing special education services is \$27 per day per child and our regular school year has 174 days. Currently we have seven Kansas children placed in our facility by Kansas SRS. Without reimbursement by the State of Kansas, Marillac will have to absorb \$32,886 for educational services for Kansas children in one fiscal year.

This situation and our attempts to resolve the issue have existed for a long time and I believe that only through your intervention will this problem be solved. Marillac cannot afford to continue providing free educational services for Kansas children. At the same time, Marillac offers the combination of care, treatment and special education needed by certain Kansas children.

XX

Governor John Carlin
January 4, 1984

Page Two

NAME AND RIIS

What do you suggest? Who is legally responsible for paying for special education for Kansas children placed in a Missouri facility by SRS?

I will truly appreciate your assistance and guidance in this matter. Marillac is committed to continuing to provide the highest quality of care, treatment and special education for seriously disturbed children, but we obviously cannot provide services without funding. I hope that you will find a way to help Kansas children who require the services that we provide.

Sincerely,



Susan G. Morrison
Executive Director

Enc.
SGM:jb



STATE OF ILLINOIS

GREGORY L. COLER
DIRECTOR

DEPARTMENT OF
CHILDREN AND FAMILY SERVICES

ONE NORTH OLD STATE CAPITOL PLAZA
SPRINGFIELD, ILLINOIS 62706

Return to Person
SOCIAL & REIMBURSEMENT DIV
DEC 23 1983

YOUTH SERVICES

NOTICE TO: ALL INTERSTATE OFFICES

FROM: THE ILLINOIS INTERSTATE OFFICE (ICPC)

RE: P.A. 83-530 (REIMBURSEMENT FOR TUITION AND RELATED EDUCATIONAL COSTS)

In the spring of 1983, the Illinois State Board of Education drafted legislation to amend the Illinois School Code in a manner which will impact on the placement of school age children into our state. The bill was passed by the General Assembly and signed by Governor James Thompson with an effective date of July 1, 1983.

It is our understanding from the State Board of Education that this bill is intended to require the placing party of any non-resident school age child currently in placement in this state or entering Illinois for placement for the first time to negotiate a contract with the appropriate local school district assuring reimbursement for tuition and related educational costs as a condition of enrollment. The amendment includes both regular classroom students and those requiring specialized educational services. This amendment specifically includes children placed in residential facilities, foster homes and relative homes and may include children placed with parents and in pre-adoptive homes as well.

FOR ADDITIONAL INFORMATION, PLEASE DIRECT YOUR INQUIRIES TO:

ILLINOIS STATE BOARD OF EDUCATION
100 North First Street,
Springfield, Illinois 62777

Phone: (217) 782-2221

We bring this to your attention as it may impact on placement planning for your proposed and existing placements into Illinois. Regretfully, approval of any placement through the Interstate Compact on the Placement of Children does not constitute any waiver of this statutory requirement. Therefore, it is possible that any child placed into our state will be denied school enrollment until such a time as the placing party has made the necessary arrangements with the local Illinois school district for the reimbursement of educational expenses.

cc: American Public Welfare Association
Dr. Donald Gill, Superintendent, Illinois State Board of Education

Kansas City Metropolitan Placements

All centers in Kansas City, Missouri, that we purchase from offer a full range of treatment, including psychiatric, psychotherapy, recreational therapy, occupational therapy, special education programs on campus, tutoring, physical education for the emotionally disturbed youth. All centers are well-staffed with professionals on staff, and with a high ratio of staff to children.

1. Crittenton Level VI provides psychiatric hospital services to male-female 5-18 years of age. An alternative to state hospital placement.

Crittenton Level V serves females 12-18 years.

Group homes V, females 12-18 years able to function in open setting.

2. Gillis serves males 6-13 years.
3. Marillac serves males-females 6-12 years.
4. Niles serves males-females 6-14 years.
5. Ozanam serves males 12-18 years.

One group home for males able to function in open setting.

6. Spofford serves male-females 5-11 years.

Statistics as of 9-30-83

1. Crittenton Center

Level V	9
Level VI	5

Crittenton Group Homes

Alternative Opportunities	3
Carrier House	2
Rockhill House	1

Total at Crittenton	20
---------------------	----

- | | |
|------------------|----|
| 2. Gillis | 15 |
| 3. Marillac | 6 |
| 4. Niles | 9 |
| 5. Ozanam Center | 26 |
| Ozanam Group | 2 |
| 6. Spofford | 10 |

Total youth from Kansas in Kansas City, Missouri facilities = 88

Education Committee
House of Representatives
February 29, 1984

Re: HB 3075

I. Introduction.

My name is Wendell Janke and I am representing the Special Purpose School staff at K.N.I.

I want to express our opposition to House Bill #3075 which would establish a special school district within the Department of Social and Rehabilitation Services.

I am a special education teacher at K.N.I. and have taught there for four years. The first year of my teaching experience was as a state employee with the school being administered by the state. The last three years have been as an employee of school district #609 which is presently administering the school there.

During the last three years since contracting with the school district educational services have improved greatly.

II. Reasons for improved services.

- A. All students that are recommended for full day services on their Individual Educational Program are now receiving full day services. Before contracting they were not, due to lack of adequate staff.
- B. Appropriate ratios of staff to students in all classes as required by Kansas State Department of Education. Previous to contracting many classes had more than 8 students to 1 teacher. In my classroom there were 11 students to 2 staff. After contracting, another para was added to my class and some students' time in class was increased. Now all students in my class receive full day services and have appropriate staff student ratios.
- C. Better student attendance because there is a set school calendar which the institution is aware of. This allows for better planning of home visits, appointments, and various activities. Also with a set school calendar all staff are on vacation at the same time which allows for more consistent programming and minimal cancellation of services.
- D. Money available for special projects. This allows the teachers to try new and innovative ideas.
- E. More money has been available for inservice training. This allows for better work skills for all staff.
- F. There has been more parent involvement in past 3 years which means educational programs can be carried over to home setting when students visit parents.

- G. All teachers are fully certified. This was never true before contracting, even though the State Department of Education required it.
- H. More money available for supplies and equipment. School district's purchasing procedures have been easier and faster than state's and we have cooperative purchasing for many supplies.
- I. Decrease in staff turnover, thus more consistency for the students.
Due to:
 - 1. Better salaries.
 - 2. Higher staff morale.
 - 3. Feeling of professional identity.
 - 4. Expected quality performance by school district.

III. Summary.

As I have pointed out, educational services to the residents at K.N.I. have greatly improved since contracting with the school district. Changing the system would certainly cause an interruption of the quality services now being provided if not reduce them greatly. We see no point in changing something that is working well. Please support us in opposing this bill. Thank you for allowing us to present our view of this matter.

Kansas Advocacy & Protective Services for the Developmentally Disabled, Inc.



Suite 2, the Denholm Bldg.
513 Leavenworth
Manhattan, KS 66502
(913) 776-1541

Chairperson
R. C. (Pete) Loux
Wichita

Vice Chairperson
Robert Anderson
Ottawa

Secretary
Marion Vernon
Topeka

Treasurer
Neil Benson
El Dorado

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Valley Center

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Rep. Ruth Luzzati
Wichita

James Magg
Topeka

Rep. Rochelle Chronister
Neodesha

Patrick Russell
Topeka

W. H. Weber
Topeka

Liaison to the Governor
Robert Epps

Executive Director
Joan Strickler

To: The House Committee on Education
Representative Don E. Crumbaker, Chairperson

From: Kansas Advocacy and Protective Services
R.C. Loux, Chairperson

Date: February 29, 1984

Re: H.B. 3075

H.B. 3075 has generated a number of calls to the KAPS office from representatives of parent groups, teachers, local boards of education, special education directors and others. A number of questions and concerns have been raised about the bill, some of which can be summarized as follows.

- The establishment of an SRS school district could tend to blur the lines of authority and responsibility between the two state agencies - the Department of Education and the Department of Social and Rehabilitation Services. The Kansas Plan for Special Education states: "Placement in the youth centers, mental hospitals, and mental retardation facilities is primarily for treatment and therapy services, and not for educational purposes". Would establishment of an SRS school district change, or at least appear to change, that focus?

- In the past, SRS operated educational programs within its institutions. During that time, there were some concerns that the programs were of a lower quality than those offered in local school districts. Concerns again are being raised that the quality of educational programs might drop with passage of H.B. 3075. Part of the worry stems from a fear on the part of teachers that salary and benefit levels would drop, thus leaving educational programs in state institutions in a poor position to compete for educational talent with local districts.

ATTACHMENT VI

2-29-84
HOUSE EDUCATION

Rep. Don E. Crumbaker, Chairperson
February 29, 1984
Page 2

- Some persons have raised concerns about the make-up of the governing body of the proposed school district and its advisory body. They maintain the composition of the board gets away from education's tradition of a board elected by the community and, thus, responsible to that community.
- The need for an SRS school district appears to be unclear. The present quality of education in mental retardation institutions seems to be satisfactory. The services are provided through USD 609, the Southeast Kansas Regional Educational Service Center. Teachers in the institutions speak of the value of maintaining peer support with other educators through this contractual relationship. The 609 contractual arrangement has been operational for approximately three years and appears to be working well.

Administrative problems have, however, been experienced when children in the custody of SRS are placed in private schools out-of-state. While SRS has funds to pay for treatment and residential costs, the schools have not been paid for the cost of educational services. There has, for some time, been disagreement as to whether the bills should be paid by SRS or the Department of Education.

While H.B. 3075 would appear to create a vehicle for transferring funds to out-of-state schools for educational services, language in Section 4, line 73, could be construed to leave out children who are not placed in state institutions. It is possible that a child would be in the custody of SRS, not in a state institution, but still in need of services that could be purchased from a special purpose school in or out-of-state. Would existing language require that the child be placed in an SRS institution prior to a contract being developed?

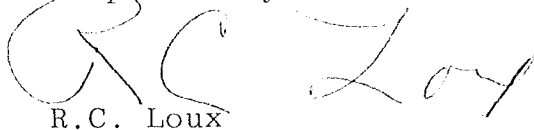
Rep. Don E. Crumbaker, Chairperson
February 29, 1984
Page 3

Private schools now providing education to Kansas children certainly should receive reimbursement for their services, and we would support the development of an appropriate mechanism to pay these costs. The establishment of an SRS school district would, however, appear to offer a more complex vehicle for achieving this than is necessary.

We recommend the Legislature provide funds for SRS to reimburse special purpose schools in and out-of-state for educational costs for children placed by Kansas.

We also recommend that any issue of an SRS school district be subjected to indepth further study prior to any action being taken.

Respectfully submitted:


R.C. Loux

KANSAS ASSOCIATION FOR RETARDED CITIZENS, INC.
11111 W. 59th Terrace, Shawnee, Kansas 66203

TO: Representative Donald Crumbaker,
Chairman, and
Members of the
House Education Committee

DATE: February 29, 1984
RE: House Bill No. 3075

FROM: Kansas Association for
Retarded Citizens, Inc.

On behalf of the Kansas Association for Retarded Citizens, Inc., I would like to express our gratitude for this opportunity to relate to some of the provisions of H.B. 3075.

If the intent of this bill is to coordinate and consolidate educational programs and services for those students under the administrative jurisdiction of the Dept. of SRS, we would concur that there are aspects of the bill which might enhance this capability. We would, however, question whether or not greater state coordination and control might diminish local controls which have proven to be effective in the administration of special education services to the mentally retarded in our institutional system. We recognize that, of course, every delivery system could be improved. However, we are unaware of any extreme difficulties inherent in the present contractual system used for the provision of special education opportunities to this group of students. Students are presently provided for in accordance with the federal Education for All Handicapped Act (94-142) and our state special education mandate. They receive a full educational program, certified by the State Department of Education, staffed with certified teachers and qualified paraprofessionals who are compensated with salaries that are competitive with other public school employees. With this type of system currently serving the needs of these students, we are at somewhat of a loss to determine any specific way in which this bill would enhance this effort. In fact, we feel the present wording might have a tendency to distract from special education services with its

(OVER)

2-29-84

ATTACHMENT VII

HOUSE EDUCATION

emphasis on meeting the needs of students in the state's Youth Services Division who would generally have different educational needs than the mentally retarded students served in our special purpose schools. This emphasis on the general education needs of youth center students is evidenced in the bill by placing supervisory responsibility with the commissioner of youth services, establishing the commissioner of youth services as the ongoing president of the board, and by creating an advisory committee that has representation from each of five youth centers and none from centers for the mentally ill or the mentally retarded. We have to question the impact that this imbalance of supervisory, administrative and advisory personnel would have on the educational programs for the mentally retarded particularly when the educational needs of the two groups are so vastly different.

In addition to the imbalance that I have just referred to, the bill also creates another unique entity through the establishment of a Board of Directors which would be the parallel to a school board in other districts in the state. However, unlike school boards, this one is appointed, not elected, and has its president determined by statute. This would limit the ability of parents and/or students to effectively advocate for meaningful change within the system, and could interfere with adequate due process proceedings as guaranteed under 94-142 and the state's special education mandate.

Another fear the bill elicits in those of us who advocate for quality education for all handicapped students is in regard to how this SRS District might be viewed and used by other local education authorities in the state. Interim Study proposal No. 38 of this past summer focused attention on some of the difficulties we have in Kansas in securing adequate services for the "hard to serve", as well as some of the attitudinal problems that exist with community service providers who must offer these programs. With the Department of SRS entering the education sphere in such a precise manner as prescribed by

H.B. 3075, we fear that the system may be sought as an "out" for local districts who would prefer not to continue educational services to the "hard to serve". The philosophy of the Kansas ARC has long been that educational responsibility belongs with educators and can best be administered through the Department of Education. There is, it seems to us, the likelihood that the creation of an SRS District could interfere with this basic principle.

It appears as though the bill has been carefully constructed to disallow any substantial fiscal impact on its implementation. Consequently, the fiscal question that we are left with is one of whether or not we are purchasing equal quality and educational opportunities for the mentally retarded with equal dollars. Is it appropriate to alter a contractual system that apparently works well, in favor of a new approach without substantial documentation for doing so, or without any prospect for achieving a greater cost effectiveness in the provision of the programs?

Perhaps there are problems in the delivery of general education programs to the residents of youth centers that we are unaware of. However, without this being true relative to special education programs for the mentally retarded in our state's special purpose schools, we would question the appropriateness of solving the Youth Center problems with the inclusion of programs for the mentally retarded in this bill. One would get the impression in reading the bill that it was originally drafted relative to the Youth Center needs and that the mentally ill and the mentally retarded were swept into it for reasons unknown to us. We feel this type of action should not occur without rationale that would justify their inclusion.

In summary, we find no provisions of the bill that specifically enhance the delivery of special education services to the mentally retarded, but do find aspects that might become distractors from the quality education we have long sought. Unless evidence can be provided that would prove otherwise, we would not see the value nor the wisdom in supporting H.B. 3075. Thank you.

Prent C. Glazier, Executive Director

Education Committee
House of Representatives
February 29, 1984

Re: HB 3075

My name is Claudia Shover-Daily and I am representing the teaching staff from the Special Purpose School at K.N.I.

I have been a teacher of SMH students six years and was a paraprofessional for one year. The last three years I have been an employee of U.S.D. #609. I would like to express our concerns, and thus opposition to an SRS school district as described in HB 3075.

Consideration of this Bill raises two important issues - Quality of student services and Staff morale. The issue of the Quality of services directly affects the teaching staff's perception of their role as educators.

Since contracting we, the students and staff, have experienced several benefits and improvements. We have appropriate student to staff ratios: for an SMH classroom the ratios should be 8 children to every 3 staff. I remember before contracting with 609 having classes with 2 staff and 7 and 8 students, and 3 staff with 9 students. These ratios affect what education we can give the students both in quality and quantity. Prior to contracting we also had children who needed full day services, according to their IEP, but were receiving only partial day in school.

Under USD #609 we have an easier and more timely access to needed supplies and equipment. With the state we were limited by dollars and purchasing procedures.

In addition, we are enjoying more active involvement with our student's parents. In my experience, parents whose children had been in public school programs were concerned about what we could offer their child. Before contracting, many parent's preference was to place their child in a public school program and have KNI pay tuition for those programs. Since contracting parents have been more accepting of our program because it is like a regular public school and under the supervision of an elected school board.

We are also enjoying the experience of being related to as "professionals" - as "educators". Previously we were "just state employees". This professional identity has added to the school's morale. We are encouraged to give, and reinforced for, quality output. Additionally, our school board is very supportive. They visit our program and know many of us by name. Our school board expects and supports quality performance from all of us. Because of this support we know that the district's primary concern is quality services to our students with cost as a secondary issue.

In summation, as an employee of USD #609, I have felt a growth of my professional identity. This opportunity for growth directly affects the kinds and qualities of services that I can give my students. As an employee of #609 I am encouraged to refine my skills and am paid accordingly. An example of skill improvement is that now every teacher in our program is fully certified. Previously, we've had many provisionally certified teachers. I, and many of my co-workers, are concerned that an SRS school district may not allow that growth to continue.

Is it worth risking loss of a known quality program for an unknown?
Thank you for allowing us to present our views on this matter.

Hearing on H.B. 3075 SRS Special School District Establishment
Opponent Testimony
February 29, 1984
Presenter: Abigail B. Calkin, Ph.D.

I speak to you as principal of Capital City Schools, a school located on the grounds of Topeka State Hospital and whose staff is employed by Topeka Public Schools, U.S.D. 501. We serve the resident patients of Topeka State Hospital and community day students from U.S.D. 501 and surrounding communities. We serve approximately 250 students, about 61% resident and 39% day students. All Capital City Schools students are of average or above average intelligence and are emotionally disturbed.

Advantages of such a joint educational program include:

1. that resident and day students attend classes together thus increasing the normalization process of patients;
2. that 28% of the day students are former Topeka State Hospital residents, thus the program currently provides the best continuity of the mainstreaming process;
3. the availability of U.S.D. 501 services including a) consultations on other special education categories (retardation, learning disabilities, gifted, speech therapy) b) curriculum assistance, c) computer technology and programs for student learning, d) information on current teaching methods and techniques, e) educational inservice and f) U.S.D. 501 personnel services for recruitment nationally;
4. a large staff thus enabling us to offer requirement and electives (electives include courses in art, music, foreign language, theatre, journalism, home economics in addition to business and vocational education);
5. optimal utilization of the school facilities in the Karl Menninger Education and Activity complex, designed for 300 students.

I urge you to consider the needs of the students (resident and day) in your decision regarding this bill.

February 29, 1984

Members of the Education Committee,
House of Representatives:

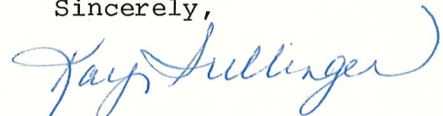
For the past five and one-half years, I have been employed in a public relations capacity at the Kansas Neurological Institute, an SRS agency serving mentally retarded children and young adults. In this capacity, I have worked closely with varied departments at the institution, including the school services provided to our residents.

Back in 1978, when I began my job, the special education department was part of KNI, and under the jurisdiction of SRS. Several years ago, KNI contracted with a public school district, Regional Service Center, District #609, to provide school services. Since that time, the special education services available to KNI's residents have broadened greatly in scope and versatility. Staff have demonstrated greater creativity, have had more access to up-to-date educational programs and services, and our residents have benefited greatly from the change.

I do not feel that it would be conducive to the overall development of our residents to once again provide their educational services through the Department of Social and Rehabilitation Services. Those in Education have spent many years perfecting their programs and specializing in being innovative and creative in the field of special education. That field, in this situation, should remain the responsibility of those professionals who are best equipped to provide the services--the Department of Education and its outlying school districts.

Since the present system works so well, and has been of such benefit to the handicapped children involved, why change it? I hope you will reject the proposal to change it outlined in HB3075. Thank you.

Sincerely,



Kay Sullinger
Public Information
Kansas Neurological
Institute

KANSAS NEUROLOGICAL INSTITUTE
Citizens Advisory Council

Date: 2-29-84

TO: House Education Committee
Representative Don Crumbaker, Chairman

FROM: Kansas Neurological Institute Citizens Advisory Council
Don Jernberg, Chairman

RE: H.B. 3075

Appreciate having the opportunity to appear, representing the KNI Citizens Advisory Council, education staff and residents of KNI receiving education services.

I am speaking out of concern for the current system of providing education to 165 residents at KNI and how the proposed H.B. 3075 might impact that service. The current system that has evolved into a very viable alternative, though a 3rd year contract with Interlocal #609, has improved services to the residences in the following ways:

1. Teacher-student ratio's for the severely multiply handicapped meet the Kansas State Department of Education requirements, 1-8. Previously, many classes had more than 1 teacher to 8 students.
2. All students that are recommended for full day school through the Individual Education Plan are receiving full day school 140.
3. Access to needed education supplies and equipment is faster than through normal state purchasing procedures.
4. Student attendance, average daily attendance, at school has improved due to: (a) specific number of school days required, (b) school calendar with all staff on vacation at same time lends to more consistent programming with less interruptions.
5. Parents have become more involved during the last 3 years.
6. The school board has visited the program as a group once, doctors, banker, dentist (5), individually, Debbie visits board monthly, DeMoss visits monthly.

7. Staff turnover is significantly less (no teacher vacancies have occurred in 3 years). All of the teachers are fully certified, 19.

Comments for consideration:

Several "mechanics" of how the proposed SRS school district would handle the following items should be addressed prior to passage of the proposed bill:

1. What would the salary schedule for staff be?
2. Would all staff be Civil Service?
3. Fringe benefits?
4. School calendar? Vacation? Sick Leave?
5. Budget process to insure school would receive adequate funds for quality program?
6. School would be responsible to Commissioner of Youth Services, yet KNI is responsible to Commissioner of Mental Health and Retardation Services.