

Approved March 30, 1987  
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

The meeting was called to order by Chairman Denise Apt at  
Chairperson

3:30 ~~a.m.~~/p.m. on March 25, 1987 in room 519-S of the Capitol.

All members were present except:

Representatives David Miller and R. D. Miller, excused

Committee staff present:

Avis Swartzman, Revisor of Statutes' Office

Ben Barrett, Legislative Research

Thelma Canaday, Secretary to the Committee

Conferees appearing before the committee:

Kay Coles, Kansas National Education Association

Jim Copple, Wichita Federation of Teachers

Richard Funk, Kansas Association of School Boards

Gerald Henderson United Schools Administrators

Marc Marcano, Committee on Hispanic Affairs

Chairman Apt called the meeting to order.

Representative George Dean gave a slide presentation entitled "Education in U. S. Competitiveness" which gave data on how the students in the United States ranked with students in Japan, Germany, France, Great Britain and Canada in the areas of math, science, and electronics.

Representative Cindy Empson moved the minutes of March 16 and March 17 be approved. Seconded by Representative Kerry Patrick. Motion carried.

The chairman opened hearings on HB 2368 concerning the Kansas high school warranty act. After turning the meeting over to Vice Chairman Don Crumbkaer, Representative Apt explained HB 2368 saying it is a bill that addresses the problem of illiteracy. The bill provides that if any student from any high school in Kansas is hired by business or industry and cannot perform efficiently because of poor skills in English or mathematics, and if that person chooses to receive instruction, the State Board of Education would provide the education and the school board from which that student graduated would be billed for the cost.

Kay Coles spoke in favor of HB 2368, supporting the concept but recommending the remedial programs being offered be thoroughly researched. (Attachment I)

Jim Copple testified in favor of HB 2368 saying it introduces the concept of accountability which has been long sought after in the private sector, and expressed hope that legislation of this nature will stimulate further discussion about how the educational experience in the state of Kansas can be improved. (Attachment II)

Richard Funk stated support for the concept of HB 2368 but emphasized that funding needs to be provided to districts for such a policy to be carried out.

Gerald Henderson said he supports the concept contained in HB 2368 but his organization has some serious reservations about the specific system offered in the bill. (Attachment III)

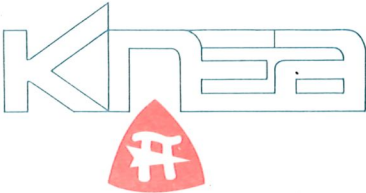
Marc Marcano spoke in opposition to HB 2368 saying he felt the measure could have a discriminatory effect on new immigrants who make up a significant segment of our society. He also pointed out there are many jobs in Kansas which do not require a high level of English proficiency as a condition for employment. (Attachment IV)

Hearings on HB 2368 were declared closed.

Chairman Apt announced Thursday's committee meeting was cancelled and the meeting was adjourned at 4:30 p.m.

The next meeting will be Monday, March 30, 1987 at 3:30 in Room 519-S.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.



Kay Coles testimony before the  
House Education Committee  
March 25, 1987

Thank you, Madame Chairman. Members of the Committee, my name is Kay Coles and I am here today representing the 20,000 members of Kansas-NEA. I appreciate the opportunity to speak with you about HB 2368.

Our association supports the concept behind this legislation. We believe our school districts should be accountable for the students who receive a high school diploma. We do, however, have reservations about specific provisions of this bill.

The topic of remedial education has been raised several times during this legislative session. Little, if any, definitive data are available about remedial programs currently offered.

Kansas-NEA recommends to you that you take the opportunity to thoroughly research this issue. Attached to this testimony are recommendations from our Department of Instructional Advocacy which could give you some direction as you consider a review of remedial education programs.

I thank you for this opportunity to share our ideas and I would be happy to answer any questions.

Attachment I

House Education 3/25/87

SUGGESTIONS FOR INTERIM STUDY ON REMEDIATION  
from Kansas-NEA Department of Instructional Advocacy

1. DIFFERENTIATE BETWEEN REMEDIAL COURSES (TO CORRECT DEFICIENCIES) AND PREPARATORY COURSES (TO TEACH CONTENT FOR THE FIRST TIME),

rationale: These two types of courses are often confused and commingled. There is a difference between the educational needs of the students in each group. Preparatory classes may be legitimate at the college level for students who change area of emphasis or who come from high schools where advanced courses are not available.

2. INVESTIGATE ANY LINKS BETWEEN STUDENTS NEEDING REMEDIATION AND SCHOOLS THAT DO NOT MEET ACCREDITATION REGULATIONS,

rationale: Schools that do not fully meet all accreditation regulations may not be offering the quality of education necessary to prepare students for higher education. Are advanced level classes really advanced or are they basic level content with a different course title? Are teachers fully certified, provisionally certified, certified in a second field, or uncertified?

3. INVESTIGATE ANY LINKS BETWEEN STUDENTS NEEDING REMEDIATION AND THEIR ATTENDANCE RECORDS,

rationale: It is very difficult to ensure that students learn required course material if they are not in class. No school or district should be cited for providing "sub-standard" education if student attendance, a circumstance not under the complete control of educators, is a factor.

4. INVESTIGATE DISTRICT PRACTICES AND ATTITUDES IN THE AREA OF "SOCIAL PROMOTION,"

rationale: Are teachers allowed to fail students who do not meet passing standards in their classes? In some districts there is strong pressure, and/or unwritten policy, to pass all students regardless of the quality of their work.

5. DETERMINE THE POPULATIONS OF THOSE STUDENTS ENROLLED IN REMEDIAL CLASSES,

rationale: How many are students just out of high school? How many are students returning after months or years away and in need of refresher courses? How many are students pursuing new areas of interest and needing content for the first time?

# Wichita Federation of Teachers

Local 725, American Federation of Teachers, AFL-CIO

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## TESTIMONY IN SUPPORT OF HOUSE BILL NO. 2368

James E. Copple  
Legislative Director  
Wichita Federation of Teachers

Madame Chairman, members of the House Education Committee, House Bill No. 2368, or the Kansas High School Graduate Warranty Act is far-reaching in scope and consequence. This Act compels us to imagine that we have schools that assume responsibility for the educational experience. This legislation introduces us to a concept long sought after in the private sector - accountability. Our public schools must bare some responsibility for skills mastered and not mastered by students within our schools. The business community is entitled to have reasonable expectations of a student who possesses a diploma from a public school. It was this concern that motivated the Boston Compact of five years ago and it is the same concern that is currently stimulating interest in business/school partnerships. At a time when economic development is foremost in the minds of the legislature-this legislation makes sense.

We have witnessed, over the past 20 years, the emergence of what Cohen, Powell and Farrar of the Coalition of Essential Schools has labeled, "the Shopping Mall High School." In the Shopping Mall High School students can shun academic activity by selecting any number of courses that detract from the central mission of the school. Consequently, we see graduates who are deficient in math and language skills. It is time that the Shopping Mall High School give way to centers of learning where mastery of skills is expected. To achieve this, however, we will need to attract to the teaching profession individuals whose academic training is grounded in the arts and sciences and whose performance in teacher education programs is better than average. We must give our teachers every opportunity to fulfill their mission.

If the Kansas High School Warranty Act is to have credibility, we must be prepared

to resource our public schools. As we evaluate this piece of legislation, we must give attention to the following concerns:

1. We will need alternative education programs that will address the diverse learning styles of the student population.
2. Employer expectations must be reasonable and have some consistency. Education is not simply the servant of the economy or local business interests.
3. If Boards of Education are expected to reimburse the State for remediation of the Skills Deficient Student, we can anticipate that Boards of Education will demand more of their teachers. Evaluation systems must continue to be fair and designed for staff improvement. Salaries must increase in order to keep quality teachers in the profession.  
-If we follow the logic of BOE reimbursement to the state, it might be reasonable to assume that a Board of Education could bill the legislature for failing to provide the economic resources to attract and keep quality individuals in the profession. The issue of responsibility is a never ending cycle of blame.
4. This bill forces the educational establishment to give meaning to a high school diploma. The Wichita Federation of Teachers believes that education must be universal and made available to all the children of Kansas.
5. Consistent monitoring of school districts and evaluating employer expectations will be difficult to manage. Before this act could be implemented, we will need to establish criteria that is acceptable to employers, universities and boards of education.

The problems this bill addresses are systemic and it will require systemic solutions to resolve them. This is reform legislation and we would urge government to begin exploring in a systematic way how Kansas might reform her schools. Twenty-nine states are currently engaged in far-reaching analysis of their schools and seeking ways to strengthen this most important component of economic development. Kansas should do no less. It is our hope that legislation of this nature will stimulate further discussion about how we might improve the educational experience in the state of Kansas.



HB 2368

Testimony presented before the House Education Committee  
by Gerald W. Henderson, Executive Director  
United School Administrators of Kansas

March 25, 1987

Madam Chairman and members of the committee.

We support the concept contained in HB 2368 which provides a warranty system for Kansas High School graduates, but we have some serious reservations about the specific system offered in this bill.

First, and I hesitate bringing up the subject, the bill does not address the students who graduate from high school who have completed programs in special education. Such students have "satisfactorily completed the course requirements of the state board," but may not be certifiably competent in basic English and math skills.

In addition, the graduation requirements of the state board speak to completing course requirements but do not necessarily require demonstration of basic skills as a pre-requisite to receiving a diploma. I quickly point out that many districts have what amount to exit exams, but many do not. All students must take the state minimum competency tests. Schools I know about have remedial programs for students who fail to show minimum competency, but state graduation requirements do not now include such demonstrated competency.

A second problem we see with the warranty system outlined in this bill is that the remediation of the defective product is transferred to a third party. How many warranties do that? Apparently successful programs that I have read about in other states call for the "skills deficient graduate" to return to the certifying institution for remediation. If financial penalties against districts are needed, then exclude such students from the number used to compute S.D.E.A. or some such system.

Finally, we are concerned about the absence of a time limit in the warranty system of this bill. I would have been willing as a high school principal, given the proper assessment instrument, to sign off that AT A CERTAIN TIME a particular student had demonstrated a level of competence in English and math. How long would my liabilities under the warranty run? Is the time period the same for the 85 I.Q. student who worked very hard at Wichita Metro to pass the Functional Life Skills test as it is for the valedictorian at Topeka High?

Again, we support the idea of a warranty for high school graduates. We are concerned about the specifics of such a system.

GWH/ed

Attachment III  
House Education 3/25/87

TESTIMONY TO THE HOUSE COMMITTEE ON EDUCATION

CONCERNING H.B. 2368

by Marc Marcano  
Executive Director  
Advisory Committee on Hispanic Affairs

Madame Chairman and Members of the Committee:

The Advisory Committee on Hispanic Affairs fully recognizes the fine work of this Committee and its relentless effort in maintaining a high standard of education in our state school system. We further recognize that the intent of H.B. 2368 is to uphold these high standards and provide Kansas employers with a quality pool of prospective employees, well trained in the basic skills. We, however, feel the measure could have a discriminatory effect on new immigrants, a significant segment of our population. For example, a new immigrant who has successfully completed a high school education and meets the specific job requirements for employment will be subject to discrimination by an employer who detects a foreign accent or a manner of speech perceived to be out of the ordinary.

We maintain that determining an employee's, or prospective employee's, proficiency in English will appreciably vary from one employer to another, making that determination a highly subjective one.

We also point out that there are many jobs in Kansas which do not require a high level of English proficiency as a condition for employment. We would be sad to see new immigrants being deterred from pursuing those entry level jobs.

Our Committee fully concurs with the concern raised by this bill and supports stricter compliance with the education standards and graduation requirements set by the Kansas State Board of Education. We further believe if a prospective high school graduate does not meet those requirements, he or she should then be held back or referred to a remedial study program to be determined by the State Board of Education rather than an employer.

For these reasons the Kansas Advisory Committee on Hispanic Affairs rises in opposition to H.B. 2368.

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