

Approved: 3-16-95  
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairman Rochelle Chronister at 3:30 p.m. on February 22, 1995 in Room 519-S of the Capitol.

All members were present.

Committee staff present: Ben Barrett, Legislative Research Department  
Dale Dennis, Department of Education  
Avis Swartzman, Revisor of Statutes  
Lois Thompson, Committee Secretary

Conferees appearing before the committee: Marion Shapiro, Planned Parenthood  
Lois Culver, Planned Parenthood of Greater Kansas City  
Mark Tallman, KASB  
Barbara Holzmark, National Council of Jewish Women,  
Kansas Governor's Commission on Education for  
Parenthood  
Jeff Roper, Wichita, Community Clinical AIDS Program  
Anita Jones, Wichita, Community Clinical AIDS Program  
Margot Breckbill, Sedgwick County Adolescent Pregnancy  
Watch and Kansas Action For Children  
Juanita Smith, YWCA Teen Pregnancy Prevention  
Representative David Adkins  
Rabbi Mark Levin, Congregation Beth Torah, Jewish  
Community Bureau/American Jewish Committee  
Carla Dugger, ACLU  
Mark Tallman, KASB, USA, Schools for Quality Education,  
KC, KS Public Schools, Shawnee Mission, Topeka, Wichita  
Rev. Lambertus Buurman, Junction City  
Barbara Holzmark, National Council of Jewish Women  
Craig Grant, KNEA  
Matt Grogger, Blue Valley School District and Mainstream  
Coalition

Others attending: See attached list

Representative Pettey, member of the Sub-committee for Q.P.A., read the proposed Resolution. (Attachment 1)

Representative O'Connor moved and Representative Tanner seconded a motion adding #8. Recommend to the State Board to explore using nationally norm tests where feasible. Motion carried.

Representative Shore moved and Representative Ballou seconded a motion to pass the Resolution favorably as amended. Motion carried.

Representative Shore read the recommended statutory changes of **HB 2173**.

Representative Tanner moved and Representative Reardon seconded a motion to amend Section 1, a) The accreditation of schools shall "take into consideration" the improvement in performance on outcomes . . . Motion carried.

Representative Shore moved and Representative O'Connor seconded a motion to amend **HB 2173** with the language the sub-committee proposed. Motion carried.

Representative Shore moved and Representative O'Connor seconded a motion to recommend **HB 2173** as amended favorably. Motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION, Room 519-S Statehouse, at 3:30 p.m.  
on February 22, 1995.

Hearings opened from opponents on HB 2301 pertain to school districts, instruction on human sexuality and AIDS.

Marion Shapiro, Director of Education, Planned Parenthood of Kansas, Hays Center appearing in opposition to HB 2301, stated "Are we trying to prevent teenagers from getting pregnant or are we trying to prevent them from having sex? One of these is partially attainable, the other is not. Parents have been telling their children to abstain for generations. Only when the children closely share the values of their parents are some of them likely to heed the admonition to abstain. The majority of teens are making a different choice, with or without permission from their parents, teachers or churches. We cannot gamble with their lives by denying them the health information they need to protect themselves from HIV which can kill them. (Attachment 1)

Lois A. Culver, Director of Education and Training, Planned Parenthood of Greater Kansas City, appeared in opposition of HB 2301. She stated quality curricula should include: 1) meaningful involvement of parents, 2) comprehensive and reality-based information, 3) support abstinence as the wisest choice for the vast majority of young people, 4) teach critical thinking and decision-making skills, 5) challenge stereotypes based on race, gender and sexual orientation, 6) recognize and value diversity, be it cultural, racial, religious or otherwise. (Attachment 2)

Mark Tallman, representing Kansas Association of School Boards, appeared in opposition to HB 2301. KASB has supported the State Board of Education's human sexuality/AIDS mandate because it does not have any particular instructional requirements. It allows each school district to develop a curriculum that reflects the desires of each particular community. (Attachment 3)

Barbara Holzmark, testifying in behalf of the National Council of Jewish Women, appeared in opposition to HB 2301. She formerly served on the Governor's Commission on Education for Parenthood. She stated this bill is unnecessary and does not feel the Kansas State Legislature needs to interfere by telling school districts exactly what, where, when, how, and why to teach certain phases of the Human Sexuality and Aids Education. This curriculum should be maintained on a local level. (Attachment 4)

Jeff Roper, Wichita Community Clinical AIDS Program, appeared in opposition to HB 2301. If proponents of HB 2301 suppose that AIDS education ignores abstinence as the only safe and effective protection against STDs, pregnancy and sexually-acquired AIDS, they are misguided. "Curricula produced by the American Red Cross, Center for Disease Control and National Institute of Health already accent abstinence as the most effective way of protection against acquiring STDs. (Attachment 5)

Anita Jones, volunteer member of Wichita CCAP Board of Directors, testifying in opposition to HB 2301, quoted a physician whose involvement with the AIDS epidemic in New York City covers 10 years, "...in the case of AIDS one mistake can cause infection and death." She and her husband Larry agonize that they did not have the information that would have saved their son's life because his exposure was too early. All they now do is teach others what causes the virus and how it can be prevented." (Attachment 6)

Margot Breckbill speaking as Co-chair of the Sedgwick County Adolescent Pregnancy Network and as a Kansas Action for Children Board member testified in opposition to HB 2301. Many of our young people are sexually acting out. They are emotionally needy because their parents are too preoccupied with drugs and alcohol or earning a living to give them the time and attention that they need. Unfortunately, television, the movies, and today's music tell young people that sex is love so they attempt to meet their needs through sexual intercourse. As we all know, this often ends in disaster. . . Lack of knowledge is a ridiculous reason to die." (Attachment 7)

Juanita Smith who works thru the Topeka YWCA with the Shawnee County Teen Pregnancy Prevention Program spoke in opposition to HB 2301. This project targets 10-17 year old youth. She stated this program does promote abstinence. "One of my major concerns about abstinence only curricula is that the approaches used to evaluate the outcomes have not been found to actually measure, over time, their ability to reduce the problem of teen pregnancy nor the spread of STD's among teens. . . For teens who have chosen to have sex and remain sexually active, information needs to be provided that will help them remain disease free and prevent unintended pregnancies among our school age youth. (Attachment 8)

Additional written testimony opposing HB 2301 were distributed to the committee: Jessie K. Tyson, school psychologist, Wichita (Attachment 9), Terry A. Proctor, Topeka (Attachment 10), Sue Chase, KNEA (Attachment 11), Douglas E. Johnston, Planned Parenthood of Kansas (Attachment 12) Debra W. Haffner

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION, Room 519-S Statehouse, at 3:30 p.m. on February 22 , 1995.

and Betsy L. Wacker, Sexuality Information and Education Council of the United States (Attachment 13),

Doug Glaze, Topeka (Attachment 14), Carla Dugger, ACLU (Attachment 15), and Sally M. Morse, President of Parents, Families and Friends of Lesbians and Gays, Wichita Chapter (Attachment 16), and brochure from Centers For Disease Control and Prevention (Attachment 17), State Board of Education Rules and Regulations on Human Sexuality/AIDS Education, (Attachment 18), Shaun-Michael Morse, San Francisco, California (Attachment 19) Report to the 1995 Kansas Legislature, Joint Committee on Children and Families (Attachment 20).

The floor was opened to questions from the committee.

This concluded hearings on HB 2301.

Hearings opened from opponents only on HB 2217, the Kansas B.I. Bill for Kids.

Representative Adkins spoke in opposition to HB 2217. He made these points: 1) Some of the Catholic services essentially say they don't want to get into the situation of taking government money., 2) The effectiveness of some school choice programs are questioned. 3) There is a sense that private schools are doing it better. . evidence doesn't tend to show that is true, especially in the high school years, 4) Believes this bill creates a new entitlement program, 5) Uses public funds for private purposes. He was offended by the the title of this legislation -- the G.I.Bill for Kids. (Attachment 21)

Rabbi Mark H. Levin, Congregation Beth Torah, Overland Park, representing the Jewish Community Relations Bureau/The American Jewish Committee testified in opposition to HB 2217. He stated "The only social institution in the United States which remains as an agency of cultural interaction among diverse populations is the public school system". Secondly, vouchers use tax dollars to fund religiously based schools. . . Voucher plans simply do not pass constitutional muster." (Attachment 22)

Carla Dugger, American Civil Liberties Union, opposing HB 2217 stated Section 7 of the Kansas bill of rights as quoted in Attorney General Robert T. Stephen's Opinion No. 94-37 finding the school voucher program proposed last year to be unconstitutional under both the U.S. and Kansas Constitutions. (Attachment 23)

Mark Tallman, representing Kansas Association of School Boards, stated the association opposes any form of public funding for private schools. They do support voluntary public school programs that are created with the approval of locally elected and accountable school boards. (Attachment 24)

Lambertus Buurman, pastor of the First United Methodist Church of Junction City, opposed HB 2217. "The kind of system proposed by HB 2217 will eventually turn into an elitist, nondemocratic system--one that is totally foreign to the basic principles of equality and democracy." (Attachment 25)

Barbara Holzmark, representing the National Council of Jewish Women, testified in opposition to HB 2217. "We face religious groups that want government subsidies for their own brand of education. . ." School Vouchers are not the answer." (Attachment 26)

Craig Grant, representing KNEA, spoke in opposition to HB 2217 saying, ". . . vouchers are not about choice, freedom, equity, and kids. Rather, vouchers would subsidize education elitism, set up a two-tiered school system, divide our state, and deny the certainty of opportunity for all." (Attachment 27)

Matt Grogger, member of the Board of Education of USD 229, opposed HB 2217. "Allocation of public money for private schools would imperil the "privacy" of those schools, as well as reduce funding for already financially strapped public schools." (Attachment 28)

Written testimony in opposition to HB 2217 was distributed to the committee from: Alvin Peters, Garnett (Attachment 29), and Arthur W. Solis, Olathe (Attachment 30).

Copies of the Fiscal Note for HB 2217 were shared with the committee. (Attachment 31)

The floor was opened to questions from the committee.

The meeting adjourned at 5:58 p.m. The next meeting is scheduled for February 23, 1995.

## GUEST LIST

Committee: Education

Date: 2-22-95

NAME: (Please print)	Address:	Company/Organization:
SALLY MORSE	9834 E. Boston Cr Wichita, KS 67207	Parents, Families (P-FLAG) & FRIENDS OF LESBIANS & GAYS
MARILEE HARPER	1663 HARLAN Wichita, KS. 67207	" "
MARSH BRECKBILL	618 N. Doreen Ct. Wichita, KS. 67206	
Marian Shapiro	513 W. 30 <sup>th</sup> Hwy KS 67601	Planned Parenthood.
Sue Lecobetter	511 Aspen Wichita	P-FLAG
Jessie Lyson	1439 S. Goebel <sup>Wichita</sup> 67207	USD # 259
Donald Tipton	737 Parker Wichita 67213	PFLAG
Scott Curry	1193 SW Jewell Topeka	Equality Kansas
Doug Glaze	1193 SW Jewell Topeka	66604 EQUALITY KANSAS
Juanita Smith	YWCA of Topeka 225 SW 12 <sup>th</sup>	YWCA of Topeka
Cathy Byers	TOPEKA	STUDENT
Rebecca Romalis	2134 W. 26 <sup>th</sup> # 6 Lawrence, KS 66047	KU PRO-choice Coalition
Kristen Funderthal	500 W Eleventh / #429 WSP Hall Lawrence KS 66045	KU Pro-Choice Coalition
Lorraine Moore	Box 1284 Lawrence KS 66044	P-FLAG
Bonnie Cuevas	1721 NW 59 <sup>th</sup> Ter Topeka KS 66618	PFLAG
Don Lindsey	OSAWATOMIE, KS	UTU
Devan Fitzg	Lawrence, KS	KU. prochoice coalition
Christy Morris	1336 Vermont apt. B Lawrence, KS 66044	KU Pro-Choice Coalition
Terry Proctor	826 Sec. Lindenwood Topeka, KS 66606	Private Citizen
Deborah Williams	Carbondale KS	student
Donald Snodgrass	Topeka KS	KS Food Dealers Assn
SYDNEY HARDMAN	LAWRENCE	KS ACTION FOR CHILDREN
LONDONNE CORDER	LAWRENCE	Lehman, Brandeberry
Mark Johnson	TELEPHONE	USD 450
Harold Pitts	Topeka	CITIZEN

## GUEST LIST

Committee: Education

Date: 2-22-95

NAME: (Please print)	Address:	Company/Organization:
HERSHEL POOR	WELLSVILLE	USA
Mark Tallman	Topeka	KASB
Karen Bowery	Topeka	KASB
Brad Binfield	Topeka	
Bob Johnson	Topeka	WU LAW
David Payne	Wichita	Kansas Family Research Inst.
Beilla Highfill Scott	Topeka	USA
Kim Mathias	Topeka	N.C.U.
Robin Lehman	Lawrence	USD 233
MARILYN HAYMAN	Lenexa	USD 232
Ron Wimmer	OLATHE	USD 233
Craig Grant	Topeka	ITNEA
Sue Chase	Topeka	KNFA
Clema Love	Go County	Ks Attorney General
Barbara Holzman	Go County	NETW Ks Gov Commission on Educ For Parental Involvement
Bert Bussman	Go County	Self
Sharon Anden	Topeka	KSBF
Carla Duggan	KC	ACLU
Robbi Mark H. Levin	Overland Park	JCRB/ASC
Roy H. Bell	Topeka	Topeka AIDS Project
<del>Angela / Sheryl</del>	Wichita	Planned Parenthood
<del>Elaine Fox</del>	GKC	Planned Parenthood
LOIS CULVER	Overland Park	Planned Parenthood
Chen W Brown	KC	Planned Parenthood
Barb Kisher	KC	PTA



**Testimony Against HB 2301 From Marian Shapiro**  
Director of Education, Planned Parenthood of Kansas, Hays Center 2/22/95

Thank you for the opportunity to give testimony on the important issue of sexuality and AIDS education. As a certified sexuality educator and **Red Cross AIDS Instructor**, I am concerned about the health and safety of young people in Kansas, and also my own two children. These are dangerous times when a teenager can make one poor judgment, take one drink too many, or mistake sex for love, and wind up with a fatal disease. As parents I think we all want our kids to be spared learning things the hard way. It's too dangerous today.

Some people think the way to keep kids safe is to say, "Just say NO." And any responsible teacher of AIDS and human sexuality will tell students that the only 100% safe way to keep from getting pregnant or getting a sexually transmitted disease is to abstain from sexual intercourse. We definitely must give support and encouragement for teens to abstain.

But if teachers and parents stop there, and give no information about prevention, then they're gambling with our teenagers' lives. They are withholding information that young people need if they choose not to heed our advice to abstain, but have sex anyway. If we teach abstinence only, we are ignoring the needs of 75% of females and 86% of males who are sexually active by the age of 19, according to a 1988 national study from the Alan Guttmacher Institute. A Congressional report from the **Select Committee on Children, Youth and Families\*** reported on two national surveys of adolescent sexual behavior which found that 58% of sexually active females had had at least two sexual partners, 25% had had three to five partners, and 11% had had six or more partners. So if we teach only abstinence, we are risking the lives of these sexually active adolescents who need to know that condoms can only work when used consistently and correctly, and that sex without a condom is 10,000 times more dangerous than sex with a condom (according to research done by Carey in 1993).

I urge you to rely on the scientifically sound research provided by the most respected AIDS experts in the world at the **Centers for Disease Control** in Atlanta and the **National Institutes of Health** in Bethesda. Attached to my testimony is a current fact sheet provided by the CDC on the efficacy of condoms in the prevention of disease. Also attached is a fact sheet from the **Planned Parenthood Federation of America** on the **Sexual and Reproductive Behavior of U.S. Teens** with all references documented, and a fact sheet from the **Alan Guttmacher Institute**.

I think we need to be clear about our goals in providing sex education. Are we trying to prevent teenagers from getting pregnant or are we trying to prevent them from having sex? One of these is partially attainable, the other is not. If the goal is to prevent sex, then the state will be in the business of imposing a strict moral code on the entire teen population, and my experience with teens tells me that this is impossible. Schools can help by teaching those universal values upon which we all agree, such as honesty, loyalty, self-respect, justice, responsibility, etc. But public schools cannot teach that using birth control is a sin. Some religious groups may espouse that, but even members of those churches overwhelmingly disagree with that position. A state cannot impose a strict moral code with which half of our teens are already non-compliant. We would need thousands of bedroom police to accomplish that! It simply is not possible to prevent a whole segment of the population from having sex.

If our goal is to prevent teenage pregnancy, we need to look at the situation realistically. By the age of 16, half of all teens have had sexual intercourse. By the age of 19 the figure is around 80%. One out of ten teenage women gets pregnant each year in the United States. That's twice as many as in Canada, England or France and seven times as many as in the Netherlands. It would make sense to look at what they are doing differently in the Netherlands. One might think that they have done a better job at promoting abstinence. But that theory was disproven when it was found that the sexual activity rate in Canada, England, France and the Netherlands was about

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the same as ours. Roughly 2/3 of students had had intercourse by the time they finished high school. What those countries did better than we do is to provide comprehensive sex education K-12, make contraception available to those who need it, and to have a society that treats sex as a normal part of being human, not sensationalize sex, not make it dirty and taboo to talk about, and not try to legislate personal moral values.

Parents have been telling their children to abstain for generations. Only when the children closely share the values of their parents are some of them likely to heed the admonition to abstain. The majority of teens, however, are making a different choice, with or without permission from their parents, teachers or churches. We cannot gamble with their lives by denying them the health information they need to protect themselves from HIV (among other things) which can kill them!

Parents already have the right to withhold their own children from the educational unit on sexuality if they so choose. They do not have the right, however, to keep life-saving information from everyone else's children. Most American parents welcome help from the schools in educating their children about sexually transmitted diseases and teenage pregnancy. Only 2% of parents nationally withhold their children from sex education. To allow a small minority of parents to impose their values on all the children of Kansas is unconscionable. We all want to support the students who are making the effort to abstain. But we can't afford to ignore the needs of the kids who need our help the most, the kids who are at risk and sexually active. If passed, this bill will cost lives of young Kansans. It is misguided and irresponsible. I urge you to vote against HB 2301.

\* A Decade of Denial: Teens and AIDS in America  
A Report of the Select Committee on Children, Youth and Families  
House of Representatives 102nd Congress 1992 Rep. Pat Schroeder, Chairman





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of Greater Kansas City

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Rabbi Michael Zedek

Testimony

of

Lois A. Culver, M.A.

Director of Education and Training  
Planned Parenthood of Greater Kansas City

before the

House Education Committee  
of the Kansas Legislature

on

February 22, 1995

in Opposition to

House Bill No. 2301

I am Lois Culver. I have been Director of Education and Training for Planned Parenthood of Greater Kansas City for over twenty years. I am a resident of Overland Park, Kansas, and my three grown children went through the Shawnee Mission schools.

Planned Parenthood is a major resource on sexuality education for a number of school districts and individual schools in western Missouri and eastern Kansas. Our Education Department staff is often consulted about developing human sexuality programs and resources.

I am here today to speak against House Bill No.2301 which would require all school districts to provide a very narrow and rigid approach to instruction on human sexuality and AIDS in Kansas, and which would not address the diversity of values within the public school setting. While this approach might be appropriate for a private, sectarian school, public school education must recognize and respect differences in religious and cultural backgrounds.

Planned Parenthood commends Kansas for being nationally recognized as having one of the finest statewide sexuality education programs in the United States. We strongly recommend maintaining the present State Board of Education guidelines which they adopted in 1987 when the mandate on sexuality education and AIDS education was established.

These guidelines state clearly that the specific curriculum of the program and the grades in which the program is to be offered shall be determined by each local board of education. The current guidelines are broad enough to allow each school district to work with parents and the community to tailor programs to meet the particular needs of their children and youth.

While we do not formally endorse or oppose any one specific curriculum, we do have concerns about curricula, like those required in the proposed HB 2301, which are, in reality, "abstinence only" instruction. This approach ignores facts like the following:

- \* 70% of all teens have had sexual intercourse by the time they graduate from high school;
- \* in the United States, by age 15, one-quarter of all girls and one-third of all boys have had intercourse;
- \* Kansas had 6,405 teen pregnancies in 1993;
- \* nearly one-third of the teenagers who were pregnant in 1993 had experienced at least one prior pregnancy;
- \* an increasing number of teens are contracting the HIV/AIDS virus.

Instead of providing factual information about the proper use of condoms to prevent pregnancies and the spread of sexually transmitted diseases, including AIDS, the requirements proposed in HB 2301 emphasize condom failure rates. Conspicuously absent are provisions

to include contraceptive information and disease prevention in a clear and accurate way, with an intent to inform and educate. Planned Parenthood believes in empowerment for young people through knowledge.

The present guidelines encourage comprehensive, age-appropriate sexuality and AIDS education. Furthermore, they urge parental involvement in the development of local programs and already allow parents to keep their children from participating without discrimination if they so choose.

Planned Parenthood believes that family life and sexuality education must be a cooperative effort between parents, schools, churches or synagogues and appropriate community institutions. As role models and providers of information, parents are the first and most important teachers of sexuality. However, many parents find it difficult to talk with their children about sex. That is why, according to a 1991 study, nine out of every 10 parents polled want some type of comprehensive sexuality education in the schools.

Choosing a program that is appropriate for a school district and community can be challenging. To help parents and educators evaluate curricula, Planned Parenthood suggests the following guidelines to determine if a sexuality program is comprehensive. Quality curricula should:

- 1) **meaningfully involve parents** as partners in the education process, whenever possible; quality education programs promote and enhance family communication on issues of sexuality and reproductive health;

- 2) **be comprehensive and reality-based**, providing accurate, age-appropriate, up-to-date, balanced information about all aspect of sexuality and reproductive health, including contraception;

3) **support abstinence** as the wisest choice for the vast majority of young people because it is the only option which is 100% effective in preventing pregnancy; however, abstinence should be included as one option in a range of positive, healthy choices reflecting responsible behavior;

4) **teach critical thinking** and decision-making skills through evaluation of the choices and consequences facing young people;

5) **challenge stereotypes** based on race, gender and sexual orientation in order to promote understanding and respect;

6) **recognize and value diversity**, be it cultural, racial, religious or otherwise; curricula should educate youth to respect differences in the backgrounds and life experiences of their peers, the families of their peers and others.

The proposed House Bill No. 2301 would not satisfy most of these criteria and, if adopted, would surely shortchange--or deprive--the children and youth of Kansas of essential information that they need to grow up to be sexually healthy and to make responsible decisions.

Planned Parenthood, therefore, urges this Committee not to approve HB 2301 and asks instead that it maintain the excellent guidelines the State Board of Education already has in place:



TO: House Committee on Education  
FROM: Mark Tallman, Director of Governmental Relations  
DATE: March 22, 1995

RE: **Testimony on H.B. 2301**

Madam Chair, Members of the Committee:

Numerous times during this and previous legislative sessions when discussing Quality Performance Accreditation, KASB has repeated our belief that curriculum decisions - decisions about what is taught and how it is taught in Kansas public schools - should not be made by the State, whether the State Board of Education or the State Legislature. The voters of Kansas elect local school board members to make those decisions; school board members who are **accountable** to the local community and **responsible** for employing the administrators and teachers who will actually provide that instruction. We do not believe that instruction in human sexuality and AIDS should be treated any differently than the rest of a school's curriculum. We therefore oppose H.B. 2301.

KASB has supported the State Board of Education's human sexuality/AIDS mandate because it does not have any particular instructional requirements. It allows each school district to develop a curriculum that reflects the desires of each particular community. It does, however, require that districts allow parents to remove their children from human sexuality instruction if they wish.

It is our understanding that relatively few parents use this option, which suggests that school district programs already reflect the parental attitudes you were told about yesterday. Actually, while you heard a great deal of compelling medical evidence, you heard very little to suggest that school district programs do not **already** emphasize abstinence. Nor did any of the medical conferees indicate that they have taken their concerns to local school boards and had their proposals rejected.

We urge you to leave these sensitive decisions with the local community.

Thank you for your consideration.

*House Education  
Attachment 3  
2-22-95*

# NCJW

**National Council  
of Jewish Women**

Testimony of Barbara Holzmark  
8504 Reinhardt Lane  
Leawood, Kansas 66206  
913/381-8222

February 22, 1995

Members of the House Education Committee:

My name is Barbara Holzmark and I come to you today representing both the National Council of Jewish Women, as State Public Affairs Chairperson, and The Kansas Governor's Commission on Education for Parenthood, as President. I am opposed to HB 2301.

As SPA for the National Council of Jewish Women, I represent 1200 members in the Greater Kansas City area, and 100,000 members nationwide. NCJW believes that a strong system of quality education is essential to American Democracy. Access to quality education is a fundamental right for all individuals. Included in quality education, we believe that a comprehensive human sexuality program, including HIV-disease education should be taught by trained personnel in the public schools. In order to accomplish this, a comprehensive program cannot be taught with stipulations such as those outlined in HB 2301. I understand each one of us would not want values, morals or even personal opinions taught by trained personnel in our public schools. I'm also quite sure every trained person teaches abstinence to be the only 100% protection against pregnancy, where AIDS prevention is not as simple as abstinence alone, since it can be contracted through dirty needles and blood transfusions, even through the mothers womb. The fact that no one wants government interference, especially pertaining to such matters so fundamental as the basic facts of life, I do not understand how the legislature would even consider mandating the specifics in a sexuality curriculum, let alone at what level and how to teach it.

In 1984, I was parenting chairman for the Kansas State PTA. In this capacity, I represented the State PTA on the Kansas Governor's Commission on Education for Parenthood. While on the Commission, in January of 1986, I chaired a committee on Sex Education in the school, home and community. My committee did two surveys in the State of Kansas to see what was going on. We asked PTA Presidents their opinions, and Principals, what was being taught in their schools. Shockingly, not much was going on in our state and PTA Presidents, anonymously told us that we needed Sex Education in the schools since many parents were not teaching this at home, and that we needed it from Kindergarten through 12th grade. My committee then recommended to the Governor's Commission, a mandate K-12 be recommended to the State Board of Education. The State Board was hesitant to issue a mandate unless AIDS Education was included. Thus, the mandate was approved in May of 1987, requiring all accredited school systems in the state of Kansas provide elementary and secondary programs in Human Sexuality and

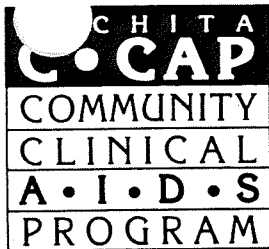
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Acquired Immune Deficiency Syndrome (AIDS) education by September, 1988. The State Board directed the Commissioner of Education to develop a set of guidelines that could be used by school personnel in developing Human Sexuality and Aids Education programs. The guidelines provided only guidance in developing and strengthening local programs. They were not to be regarded as mandatory. The accreditation regulation required that each local board of education provide a comprehensive program K - 12 and that such programs contain information about S T D's and AIDS. The regulation further stated:

1. The program shall include instruction at the elementary and secondary levels.
2. All teachers and building administrators were required to have appropriate academic preparation or inservice training designed to develop a basic knowledge of and a sensitivity to the area of human sexuality.
3. All teachers who teach courses in human sexuality hold appropriate certification to provide such instruction; except that until Sept. 1, 1992, teachers assigned to teach shall hold any valid certification appropriate for the level.
4. The program shall include procedures whereby any pupil, whose parent or guardian so requests, shall be excused from any or all portions of the program without any penalty resulting from such action.
5. The specific curriculum of the program and the grades in which the program is to be offered shall be determined by each board of education. The curriculum shall be on file in the State Board of Education office.
6. The State Board shall not be construed as requiring, endorsing or encouraging the establishment of school-based health clinics or the teaching of birth control methods.

To sum up these facts, In 1987, the State Board of Education mandated Human Sexuality and Aids Education, K - 12, with each local school board developing their own curriculum, while involving parents, school administrators, health professionals, members of the clergy and other community representatives. Furthermore, recommendations for on-going classes for parents were to be provided in their schools to help them discuss sexuality with their children and receive other parenting education and support.

I do not understand why HB 2301 is necessary. It seems redundant if every school district has local control in developing their own curriculum, while utilizing members of their own community, offers courses and information for parents, and includes procedures for any student to opt out of class during this curriculum, without penalty. Why then does the Kansas State Legislature need to interfere by telling the school districts exactly what, where, when, how, and why to teach certain phases of the Human Sexuality and Aids Education. I urge you to maintain this curriculum on a local level and to oppose HB 2301.



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P.O. BOX 2488 • WICHITA, KS 67201-2488 • PHONE (316) 265-9468

22 February 1995

Dear Members of the Education Committee:

Kansas House Bill 2301, which ostensibly relates to teaching AIDS and sex education in public schools, is seriously flawed and must be defeated for several reasons.

HB 2301 effectively chills the free exchange of ideas which the constitution guarantees for everyone. The bill proposes both a 30-day notification of parents before each AIDS prevention message enters the classroom and a weekend or evening preview for parents. This provision allows parents to exclude their children from AIDS education, but it also discourages guest speakers by requiring two presentations and two visits to a school district. This is particularly chilling for students in remote, rural school districts. The net effect is to freeze the flow of information about sex and AIDS, and specifically to withhold that information in a family context. HB 2301 is about oblique censorship. It places an undue burden on educators who attempt to deliver federally-mandated information about preserving the health of children and youth, and it silently protects fearful *parents* from having informed children. Although the bill never uses the word family, it continually talks about parents, children and marriage — what most Americans imagine when they think of family. And this bill exposes, at the core of the family values and home-schooling rhetoric, a remarkable fear of sexual realities, new ideas and intergenerational communication between parents and children.

HB 2301 is unconstitutional. To subject one idea (AIDS prevention) to special restrictions is to open all ideas to restriction. If both chambers of the Kansas legislature pass this bill, and if Governor Graves signs it into law, a host of groups will undoubtedly sue the state of Kansas for violating the freedom of speech guaranteed in the First Amendment of the United States Constitution. And while that lawsuit is pending, spending scarce Kansas tax dollars in lawyer's fees and court costs, local school districts like USD 259 will wonder why legislators have required them to

House Education  
Attachment 5  
2-22-95



duplicate procedures for parental notification, preview and pupil exclusion already in place.

HB 2301 is deceptive. It claims to be about teaching human sexuality, but it's really about *not* teaching it. Although current statistics indicate that 72% of seniors in Kansas public schools have already had sexual intercourse, HB 2301 legislates that sex education teach abstinence as the "expected standard" and "expected norm" for all children. It may be a message designed to make the minority feel compliant and safe, and the majority feel shamed that they've disappointed somebody's expectations, but it's unlikely to persuade students that they should delay sex and intimacy until marriage in a society where half of marriages end in divorce. By making no reference to safer sex practices, HB 2301 implies that abstinence and monogamous marriage are the only two choices: no-sex or True Sex. That's fine if you believe in a world where everything is neatly divided into us/them or black/white, but many people do not believe in that simplistic binary scheme or that restricted view of human sexuality.

That binary perspective provides a lousy approach to stopping a global epidemic for which the only successful intervention has been frank talk about people's *real* behaviors of sex, intimacy and pleasure, and how to protect their health by making those behaviors safer. Ironically, HB 2301 attacks condoms when America's only respite from escalating HIV infection rates was among San Francisco's gay community which discussed people's lives frankly and collectively promoted safer sex and condoms. Because HB 2301 rejects those approaches, its real agenda seems not to be education or AIDS prevention but to promulgate a restricted vision of The Family as monogamous and heterosexual.

To promote this nostalgic vision of idealized Victorianism, Kansas legislators had to dig deep, mandating that sex and AIDS educators talk about financing babies born out-of-wedlock and illegal sex acts (quoting from *Kansas Statutes Annotated*). HB 2301 commands Kansas sex educators to use the rhetoric of fear, guilt and danger, implicitly believing that its young citizens will marry as HIV- virgins (well, 28% of them) and, after the wedding, magically experience sex *without* all that emotional baggage. Meanwhile, every Hollywood movie and tv show peddles nonmonogamous heterosexuality as America's prime commodity, telling the youth of America that they *need* sexual intercourse and disposable relationships to prove their adulthood and gender identity, and that they'll move one step closer to that goal if they just buy this new product. About 72% of Kansas kids buy that message, and HB 2301 does nothing in response but preach: sex is dangerous, condoms are risky, so just say no.

HB 2301 is misguided if its proponents suppose that AIDS education ignores abstinence as the only safe and effective protection against STDs, pregnancy and sexually-acquired AIDS. Curricula produced by the American Red Cross, Center for

Disease Control and National Institute of Health already accent abstinence as the most effective way of protection against acquiring STDs.

Some readers would say that HB 2301 is merely redundant and that Kansas education will proceed as usual regardless of legislative action. That may be true to an educator, but that interpretation misses one important point. Our elected representatives like Daniel Thimesch of Cheney, Darlene Cornfield of Valley Center and six Wichita representatives find it oddly necessary to endorse redundancy. Why?

The answers seem embedded in HB 2301's strategic detour from sex and AIDS education to an ideological embrace of the monogamous heterosexual family. In today's myopic video culture, endless reruns of "realistic monogamy and family life" reinforce a post-WW2 image of American life, and often blind us to the striking similarities between 1995 and 1895. The ideology of monogamy last flourished at the turn-of-the-century when rapid social changes threatened America's economy, immigration patterns, health, family structure, and sense of cultural identity. TV erases all that from our popular memory, and amnesiac America sees only the Fifties, the Sixties, and the advent of global market capitalism in the mid-Seventies.

New opportunities arose only as we began to erase our sense of national boundaries and identity. Distant global problems now seem disturbingly close to home. Complex problems refuse simple solutions. Realism and modernism yield to a postmodern aesthetic. Bottom-line profits influence everything. All these changes push people of faith to understand ethics, morality, spirituality and God in new ways. And although nostalgia feels real good in that scenario, nostalgia is not a smart basis for a coherent public health education policy.

For these reasons, I encourage you to oppose House Bill 2301.

Sincerely,



Jeff H. Roper  
Executive Director

JHR:bw

Attached: Additional signatures

# The Wichita Eagle

Established 1872  
Incorporating The Wichita Beacon

Reid Ashe, Publisher

Sheri Dell, Associate Publisher

Davis Merritt  
Editor

Janet S. Weaver  
Managing Editor

David Awbrey  
Editorial Page Editor

## EDITORIALS

### Butt out Content of sex ed curricula should be local school decisions

**M**omentum is growing — and rightly so — toward getting the state out of sex education in the public schools. Now, swimming against the tide, comes a social conservative House member — Rep. Jene Vickrey, R-Louisburg — with a bill that would require all Kansas school districts to adopt and teach an abstinence-based sex-education curriculum.

This piece of legislation — which flies in the face of the conservative philosophy that that government is best which governs least — would preempt the sex education programs that Kansas school districts already have in place. The judgment of a Louisburg Republican and like-minded outsiders would be substituted for the judgment of elected local school board members and their friends and neighbors.

None of this is to suggest that there is anything wrong with abstinence-based sex ed programs. Just as Mr. Vickrey and his supporters contend, abstinence is the best way to ensure that teens don't contract AIDS and other sexually transmitted dis-

eases, and don't create unwanted pregnancies. But in some Kansas settings, abstinence training alone may not be enough to reach those goals.

The point is that local elected school boards should be allowed to decide — on their own, without pressure from the state — whether their schools need a sex ed program and what kind of program it ought to be. That's why Kansas school administrators were right earlier this year to urge the State Board of Education to drop its 1987 sex-education mandate. It's also why the Kansas Senate was right earlier this month to adopt a resolution urging the State BOE to drop its "emotional well-being" outcome from its school accreditation process — the feeling being that the state would be wiser to concentrate on prodding local boards toward academic excellence.

The House Education Committee this week takes up the Vickrey bill. If committee members truly believe in local control and fewer state mandates, they will kill it.

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Sue Harsh</i>	Sue Harsh	Cassoday, KS 66842	316- 321-5256
<i>Denise Faught</i>	Denise Faught	Wichita, KS 67204	316 261-2655
<i>Patricia MacDonald</i>	Patricia MacDonald	Wichita KS <sup>home 20</sup> 67204	268-8409 744-2501
<i>Richard L. Barnhill</i>	Richard L. Barnhill	Wichita, KS 67203	316 942-0517
<i>Suzette M. Schwartz</i>	Suzette M. Schwartz	Wichita, KS 67203	316 943-9068
<i>Chris Fox</i>	Chris Fox	Wichita KS 67202	316 268-8401
<i>Sheryl Kelly</i>	Sheryl Kelly	Wichita, KS 67214	316 268-5984
<i>Sharon L. Burnett</i>	SHARON L. BURNETT	Wichita, KS 67220	(316) 688-5036
<i>Wines Maria</i>	WINEs MARIA	Wichita, KS 67201	316 265-9468

5-6

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Anne S. Bauer</i>	ANNE S. BAUER	Wichita, KS 67218	6848283

5-6

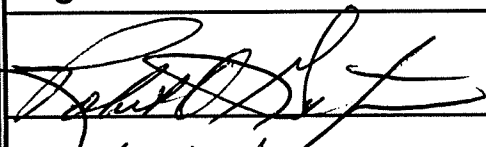

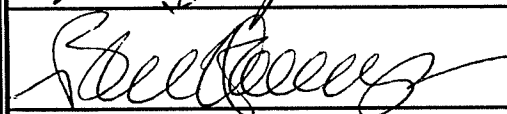
The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Timothy J. Finnerty</i>	TIMOTHY J. FINNERTY	Wichita, KS 67203	316 263-5851
<i>Sharon S. Razook</i>	SHARON S. RAZOOK	WICHITA, KS. 67226	636-5690
<i>Frankie M. Brown</i>	FRANKIE M. BROWN	Wichita, KS 67226	316/ 688-1168
<i>Joe Kelly</i>	Joe Kelly	Wichita, KS. 67214	316 261-2650
<i>Sonia Gretelman</i>	SONIA GRETEMAN	wichita, KS 67206	6361295
<i>Chris Brunner</i>	CHRIS BRUNNER	"	"
<i>Ronald L. Doty</i>	Ronald L. Doty	Wichita, KS 67203	2633525
<i>Therese Wetta</i>	Therese Wetta	Wichita KS 67213	943-1223
<i>Anita Jones</i>	Anita Jones	" " 67208	681-0745

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Donna E. Sweetms</i>	DONNA E. SWEET MD	WICHITA #6 CRESTVIEW LAKES	316/682 3171

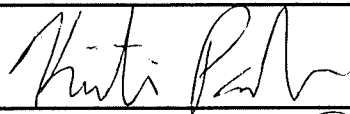
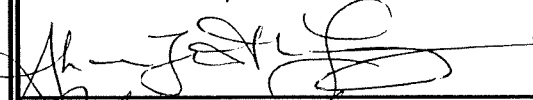

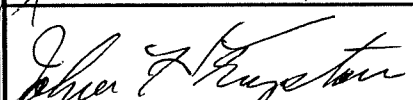

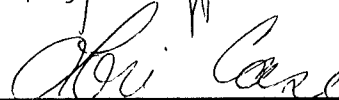

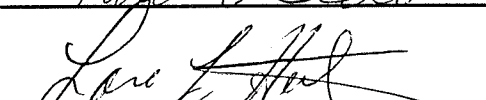
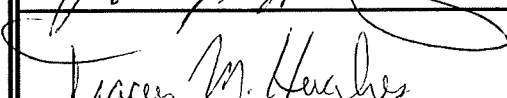
The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
	ROBERT D. GUTZMAN	WICHITA KS 67220	6510251
	Robert Chapman	Wichita KS 67218	6862839
	Bill Hawks	Wichita, KS 67226	(316) 267-8335



5-10

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
	Kristi Parker	Wichita, KS 67216	(316) 684-2064
	Sharon Faith Levin	Wichita KS 67216	316 684-2064
	LINDA J. COPELAND	WICHITA, KS. 67233	316 788-7266
	JOHN H. KINGSTON	WICHITA KS 67218	316 881-3683
	Kelley J. Hoffman	Wichita, KS 67213	688-5059
	Lori Case	Wichita, KS 67214	687-3876
	Karen Wedel	Wichita, KS 67217	522-9170
	LEAH L. HEIT	Wichita KS 67203	269-0502
	TRACEY M. HUGHES	WICHITA KS 67204	316 832 1069

0 0

5-10

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Ms. V. Renee Tucker-Fletcher</i>	MS. V. RENEE TUCKER-FLETCHER	Wichita Ks. 67208	681-8090
<i>Lisa D. LaRue</i>	LISA D. LARUE	Wichita, Ks 67203	942-5716
<i>Karen A. Nerrine</i>	KAREN A. NERRINE	Nauvoo, Ks 67060	522-1703
<i>Alex B.</i>	ALEX BATEMÉ	WICHITA, KS 67214	2625242
<i>Jim Watson</i>	Jim Watson	<del>1942</del> Wichita, KS 67218	682-3998.
<i>T. K. Ludwig</i>	Thomas K. Ludwig	9111 West 21 <sup>st</sup> #64 Wichita KS 67205	269-2939
<i>Trace Adkins</i>	TRACE ADKINS	1718 W. FRANKLIN WICHITA KS 67203	269-0777
<i>Angela Van Arsdale</i>	ANGELA VAN ARSDALE	505 N. Tyler Apt. 1309 Wichita, KS 67212	729-6998
<i>Charles E. Bell</i>	CHARLES E. BELL	2027 E. WASSALL WICHITA, KS. 67216	522-1354

5-12

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
	Meredith Bellamy	3402 E. Pine St. Wichita, KS 67208	(316) 657-0537
	Lynn Hanna R	822 N. Mission Wichita, KS 67206	316 652-236
	Marilyn Cobb	416 S. Brookside Wichita, KS 67218	316 685-1383
	William T Cobb	416 S. Brookside Wichita, KS 67218	316 385-1383
	JAMES M. BISHOP	RT 1 Box 142 Douglass, KS	316 747-2889
	Terry McManis	Wichita, KS 67212	316 721-2284
	Michael Wilson	Wichita, KS 67203	264-2122
	Sayna K Rogers	Wichita, KS 67208	316 682-1852
	Jeff W Baker	731 N Topkani Wichita, KS 67214	816 242-0927

5-12

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Keith C Meyer</i>	KEITH C MEYER	325 N. Bebe WICHITA K.S.	945-7090
<i>Lizbeth K. Meyer</i>	LINZI K. MEYER	325 N. Bebe WICHITA, KS	(316) 945-7090
<i>Pat Johnson</i>	PAT Johnson	400 N Central #2821	None
<i>Jeff Daniels</i>	Jeff Daniels	Wich. Kan, KS 67214	265-4307
<i>Kevin Cost</i>	KEVIN COST	8405 W CENTRAL WICHITA, KS 67212	NO PHONE
<i>Paul Crandell</i>	Paul Crandell	111 Spruce Wichita KS,	N/A
<i>Joseph V. Palmer</i>	JOSEPH V. PALMER	731 N. TOPEKA #1 WICHITA, KS 67214	265-6912
<i>H. Edward Weckheiser</i>	H. Edward Weckheiser	731 N. Topeka #1 Wichita, KS 67214	265-6912
<i>Michael T. Polk</i>	MICHAEL T. POLK	765 BOVERLY Wichita KS 67218	687-0605

71-9

71-9

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Anita Kirkpatrick</i>	ANITA KIRKPATRICK	Wichita KS 67211	316 682-8999
<i>Pam Brooks</i>	Pam Brooks	Waysville, KS 67060	316 522-6347
<i>Julie Hinke</i>	Julie Hinke	Clearwater, KS 67026	316 584-3317
<i>Pam Courley</i>	Pam Courley	Wichita, KS 67215	316 721-7669
<i>Lynda Gabor</i>	LYNDA GABOR	Wichita, KS 67213	265-8023

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Shelley North</i>	Shelley North	Wichita, KS 67203	262-7996

5-15

5-16

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Kathlyn A. Kree</i>	KATHLYN A. KREE	Wichita, Ks. 67203	316-267-8441
<i>Charles A. Neal</i>	Charles A. Neal	Wichita, Ks. 67203	316-262-8138
<i>Richard D. Campbell</i>	Richard D. Campbell	Wichita Ks. 67203	316-291-2384
<i>Matthew S. Thompson</i>	Matthew S. Thompson	Wichita Ks. 67203	316-291-2384
<i>Michael S. Close</i>	Michael S. CLOSE	Wichita Ks 67203	316-262-6583
<i>Ed Resa</i>	Ed Resa	Wichita Ks 67203	262-0645
<i>Gerald Laurie</i>	GERALD LAURIE	Wichita Ks 67203	265-3930
<i>Kim Close</i>	Kim Close	Wichita Ks. 67203	262-6583
<i>Diana Grube</i>	Diana Grube	Wichita, Ks. 67203	262-8119

5-16

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Ken Saville</i>	KEN SAVILLE	3811 E. Skinner Wichita, KS. 67218	1085-7079
<i>Jonathan Derowitsch</i>	JONATHAN DEROWITSCHE	203 N. BATHIN WICHITA, KS. 67208	651-0832
<i>Glenda Burkett</i>	Glenda Burkett	3704 W. Elm Wichita, KS. 67203	316- 942-5631
<i>Joanne N. Lappin</i>	Joanne N. Lappin	4 Cypress Wichita KS 67206	683-6613
<i>Linda L. White</i>	Linda L. White	404 Courtleigh Wichita KS 67218	681-0506
<i>Harry K. White</i>	HARRY K. WHITE	404 COURTLEIGH WICHITA, KS 67218	681-0506
<i>Roger Scholfield</i>	Roger Scholfield	2307 W. Stonebrook Wichita, KS 67226	656-4509
<i>David Taylor</i>	DAVID TAYLOR	400 W. Central #312 Wichita, Kansas. 67203	265-9468
<i>Pamela J. Crittenden</i>	Pamela J. Crittenden		(316) 267-4929



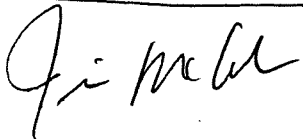

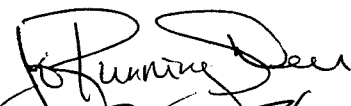


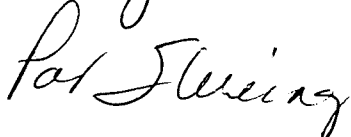


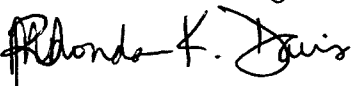
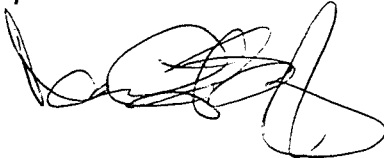
5-18

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
Rev. Wayne C. Flanders	Rev. Wayne C. Flanders	Wichita, Kansas 67203	267-5949
Linda S. Flanders	Linda S. Flanders	Wichita Kansas 67203	267-5949
R. Sue Herren	R. Sue Herren	Wichita, Ks. 67203	269-3029
Margaret E. Chipman	MARGARET E. CHIPMAN	Wichita, Ks. 67203-2641	316-264-8500
Stephen W. Clement	Stephen W. Clement	Wichita, Ks. 67203	316-267-8348
Clifford Lee Fritts	Clifford Lee Fritts	Wichita, Ks. 67203	316-267-8348
Clinton Mickey	CLINTON MICKEY	WICHITA KS 67208	686 0573
Randy W Brown	RANDY W BROWN	WICHITA, KS 67203-2545	265-1986
Eugene A Stucky	EUGENE A STUCKY	WICHITA K 67203	265 1986

5-18

WE The Underigned persons join The Wich  
 Community Clinical AIDS Project in Urging you to  
 oppose KANSAS House Bill 2301.

Signature	Print name	City	Phone
	Jim McAdan	Wich. 74/ks 67203	945 3767
	Lita J. Miller	Leon Kansas 67074	742 3424
	Jo Running Deer	Wichita, KS.	—
	Rosemary Ho Hhaus	Wichita, KS	832-0330
	TERRY GORDON	WICHITA, KS	832-0330
	PAT STERLING	Wich. KS.	316-522-2321
	MELBA HORNECKER	Wichita, KS.	689-8342
	MICHELLE MCINOUENT	Wichita, KS	684-4694
	RHONDA K. DAVIS	WICHITA, KS.	—
	MARK SISKOPF	El Dorado, ks	321-436

5-20

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Angela Van Arsdale</i>	ANGELA VAN ARSDALE	Wichita, KS 67212	729-6998
<i>Jami Fuchs</i>	TAMI J. FUCHS	Wichita KS 67212	729-9503
<i>Margalee Wright</i>	Margalee Wright	Wichita 67203	265-6162
<i>Brenda Leerskov</i>	Brenda Leerskov	Wichita 67218	686-4665
<i>Madeline McCallough</i>	Madeline McCallough	Wichita 67203	264-2122
<i>Janis Meredith</i>	JANIS Meredith	Wichita 67207	6527345
<i>Judith Reno</i>	Judith Reno	Wichita 67207	6851823
<i>Lynnda Pletcher</i>	Lynnda Pletcher	Wichita 67207	683 5714
<i>Tim Edwards-Malone</i>	Tim Edwards-Malone	Wichita, KS. 67203	265-8252

5-20

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Kris A. Ehling</i>	Kris A. Ehling	Wichita, Ks 67208	683-8509
<i>Amy Post</i>	Amy Post	Wichita, Ks 67208	681-2439
<i>Diane Post</i>	Diane Post	" "	" "
<i>Bart A. Flickinger</i>	Bart A. Flickinger	Wichita, Ks 67208	683-8509
<i>Karen Creech</i>	Karen Creech	Wichita Ks. 67207	685-5839
<i>Barbara Morgan</i>	Barbara Morgan	Wichita Ks. 67209	722-8090
<i>Katherine H. Soutec</i>	Katherine H. Soutec	Kechi, KS 67067	744-3255
<i>Robyn J. Parker, MD, AKWP</i>	Robyn J. Parker	Wichita, KS 67230-6669	733-2548
<i>Ronald G. Parker</i>	Ronald G. Parker	Wichita, Ks 67230-6669	733-2548

521

5-22

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Janis Arnold</i>	Janis Arnold	Wichita KS 67203	289-3158
<i>Freda Jorgensen</i>	Freda Jorgensen	" " 67208	685-6949
<i>Cleo Chappell</i>	CLEO CHAPPELL	67218	682-8134
<i>Sheryl Nelson</i>	Sheryl Nelson	Wichita, KS 67208	685-3001
<i>Diane F. Rauh</i>	DIANE F. RAUH	Wichita, KS 67203	265-9823
<i>Dottie Jones</i>	DOROTHY M. JONES	WICHITA KS 67203	943-2052
<i>Rebecca S. Black</i>	Rebecca S. Black	Wichita KS 67208	691-7722
<i>Randy Jones</i>	Randy Jones	Wichita KS 67204	838-5017
<i>Connie S. Simmons</i>	Connie S. Simmons	Wichita, KS 67204	838-5017

5-22

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Kathleen K. Karlowski</i>	KATHLEEN K. KARLOWSKI	WICHITA, KS - 67203	832-0932
<i>Floyd L. Hansen</i>	FLOYD L. HANSEN	Wichita, 67203	943-2066
<i>M.K. Chapman</i>	M.K. CHAPMAN	Wichita KS 67203	943-2066
<i>Suzanne Morgan</i>	Suzanne Morgan	Wichita KS 67218	6833696
<i>Judi Harrison</i>	Judi Harrison	Wichita KS 67206	634-2966
<i>David S. Morgan</i>	David S. Morgan	wichita KS. 67218	683-3696
<i>C. Robert Harrison Jr</i>	C. Robert Harrison Jr	Wichita, KS 67206	634-2966
<i>Amy Pray</i>	Amy Pray	9400 E Lincoln #207 Wichita KS 67207	687-3990
<i>Anne Smith</i>	Anne Smith	Wichita, KS 67212	721-5125

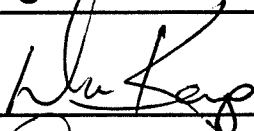
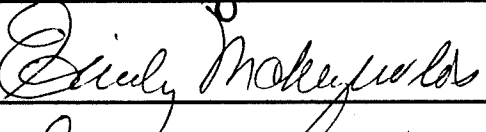
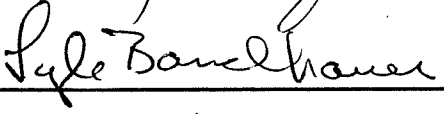
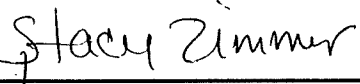
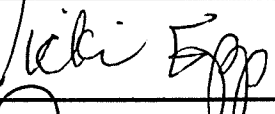
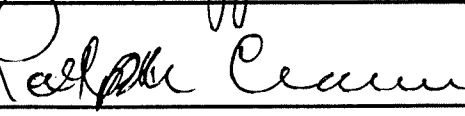
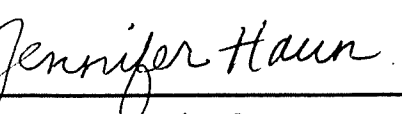


5-24

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Everett &amp; Joyce Cook</i>	Everett & Joyce Cook	110 S. Prescott, Wichita 67207	729-0111
<i>Sharon O'Neill</i>	SHARON O'NEIL	400 S. Roosevelt	687-0600
<i>Don Caywood</i>	Don Caywood	8450 Overbrook	686-7859
<i>Donna J. Caywood</i>	Donna J. Caywood	8450 Overbrook	686-7859
<i>Carol A. Vickery</i>	Carol A. Vickery	5103 E. Murdock	686-6128
<i>Anita Meyer V.</i>	Anita Meyer Vickery	252 S. Ridgewood	685-6766
<i>Amy M. Vickery</i>	Amy M. VICKERY	8 NORFOLK DR	682-0725
<i>Robert Harrison</i>	Robert Harrison	9408 Shannon Way Wichita	634-2966
<i>William R. McKighan</i>	Wm R. McKighan	400 S. Roosevelt Wichita KS 67248	687-0600

5-24

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
	DIANA KEMP	309 CATALPA DERBY, KS 67037	(316) 788-7186
	Emily McKeywold	3208 Myaorin Wichita, KS 67204	(316) 828-9422
	Lyle Bandhauer	637 S. 31st St	684-8144
	Stacy Zimmer	6038 oneida 67208	652-0322
	Vicki EPP	621 SE 4th APT H Newton 67114	783-5410
	Ralph Cramm	124 S. Volusia Wichita KS	682-9429
	Jennifer Haun	4827 Eastwood Apt C Wichita, KS 67218	652-0509
	Devon K. Packard	544 N. Fountain Wichita, KS 67208	684-6979
	KAREN TRAVIS	1505 W. 61st N Wichita, KS 67204	832-1164




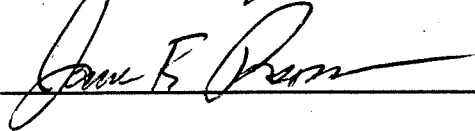
5-26

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Karen Clark</i>	Karen Clark	Wichita KS 67207	685-3735
<i>Judy M. Every</i>	Judy M. Every	Wichita KS 67203	364-4713
<i>SUSAN TREPPOY</i>	SUSAN TREPPOY	Wichita, KS 67208	689-4747
<i>Kath Mule</i>	Kathryn Munch	Wichita KS 67204	838-4909
<i>Carol L Hammon</i>	Carol L Hammon	Wichita, KS 67204	838-4909
<i>Rachelle Daniels</i>	Rachelle Daniels	Wichita KS 67211	687-9309
<i>Kayla J. Corbett</i>	Kayla J. Corbett	Wichita, KS 67211	687-9309
<i>Janice Bishop</i>	JANICE BISHOP	Douglas, KS. 67039	747-2889
<i>Thane Chastain</i>	THANE CHASTAIN	Wichita KS 67207	683-1909

5-26

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
	Alice Row	Belle Plaine KS <sup>67013</sup>	488-2200
	James F Rogers	646 N Pinecrest Wichita KS	682-1852

527

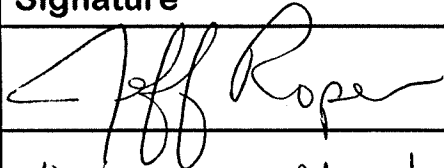
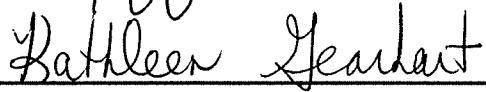


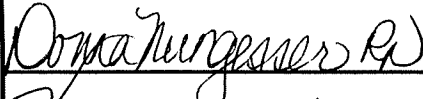
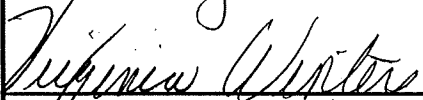
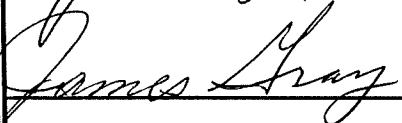
5-28

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>David Stokes</i>	David Stokes	Wichita 67211	267-3966
<i>Jaki Schottfeld</i>	Jaki Schottfeld	Wichita KS 67226	636 24509
<i>Nancy T. Wiebe</i>	Nancy T. Wiebe	Wichita 67208	187-4322
<i>Benjamin Klein</i>	BENJAMIN KLEIN	Wichita, KS 67216	

5-28

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
	JEFF ROPER	442 So. Pershing Wichita, KS 67218	689-0351
	Kathleen Gearhart	Derby, KS 67037	
	Judith Shannon	Wichita KS 67201	267-5882
	Harriet Alison Hutchins	1945 S Broadway 67241- Wichita, Kansas 67206	265-8394
	DONNA NUNGESSER	6611 E. Central Suite F Wichita, KS 67206	652-0930
	VIRGINIA WINTERS	511 E. 2nd Wichita, KS 67202	269-2470
	JIM GRAY	9560 E. LINCOLN #1 WICHITA, KANSAS 67207	(316) 652-7691

5-30

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Debra Satts</i>	Debra Satts	1321 Coolidge, Wichita KS 67203	264-4008
<i>Terry Boswell</i>	TERRY BOSWELL	1400 E. 32nd St #601 Wichita KS 67224	634-6847
<i>Wayne E. Herbowski</i>	Wayne E. Herbowski	1818 W. 18 <sup>th</sup> #296	832-0932
<i>Janet VanPatten</i>	Janet L. VanPatten	1816 Charleston <sup>67205</sup> Wis. KS	744-3781
<i>Claudette M. Pehde</i>	CLAUDETTE M. PEHDE	550 N BLUFF <sup>67208</sup>	688-0957
<i>Judith K. Tuckwood-Deck</i>	Judith K. Tuckwood-Deck	Wichita KS 67208	684-8208

5-30

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Roger A. Souter</i>	Roger A. Souter	Keckij, KS	744-325
<i>Echo Edwards-Malow</i>	Echo Edwards-Malow	Wichita, KS 67203	265-8252
<i>Linda Jones</i>	Linda Jones	Wichita KS 67230	7338771
<i>Jerrlea Dunn</i>	Jerrlea Dunn	Wichita KS 67218	683-3856
<i>Calvin L. Wiebe</i>	CALVIN L. WIEBE	WICHITA KS 67208	687-4322
<i>John Bayer</i>	John Bayer	Wichita KS 67204	832-0167
<i>Spot Jonz</i>	SPOT JONZ	Wichita KS 67204	838-1501

5-32

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>Wm. Fox</i>	Wendi M. Fox	Park City KS 67219	744-9625
<i>Chad Smith</i>	CHAD SMITH	WICHITA KS 67203	267-7859
<i>Maria A. Mui</i>	MARIA A MUI	WICHITA KS 67203	8381553
<i>Rachel M. Bates</i>	RACHEL BATES	WICHITA, KS 67203	8381553
<i>Twila Chaloupek</i>	TWILA CHALOPEK	HESSTON, KS 67062	327-233
<i>James Dean</i>	JAMES DEAN	WICHITA KS 67203	263-2463
<i>Kelly Eddy</i>	Kelly Eddy	Wichita KS 67212	941-9968
<i>Margo Kerns</i>	MARGO KERNS	NEWTON 67114	284-0374
<i>Lynn LaCoss</i>	Lynn LaCoss	Wichita KS 67211	unlisted

5-32

The undersigned persons join with the Wichita Community Clinical AIDS Program in urging you to oppose Kansas House Bill 2301.

Signature	Print Name	City ST Zip	Phone
<i>K Lynn Lalman</i>	K Lynn Lalman	Wichita Ks. 67211	263-9715
<i>Caudimora Gibbs</i>	CAUDI MORA-GIBBS	WICHITA KS 67212	945-3809



REMARKS OF ANITA JONES AS VOLUNTEER MEMBER  
OF W. CCAP Board of Directors, Wichita  
in opposition to house bill #2301

I was recently at a conference in Washington, D.C., where a physician whose involvement with the AIDS epidemic in NYC spans ten years. At the conclusion of our one-on-one discussion of educating young people about risky behavior, he said, "We have to convince kids of the urgency of our message--cigarettes, alcohol and drugs can be tried as teens dare to do, stopped and the effects can usually be reversed, but in the case of AIDS one mistake can cause infection and death." All of us want our children to be given information, and all the information to protect themselves. It is also important to remember that each year there are new 10 year olds, or 11, or 12 year olds who have not heard the facts. This generation will be affected by this.

Section 1(b), "teach that the best way to avoid sexually transmitted diseases ---is to establish a mutually faithful monogamous relationship in the context of marriage." That does not fit the norm of many "90's" families and children of single-parent homes or other alternatives to that "ideal" will wonder where they fit in, where their family is wrong or unacceptable.

Sec. 1(g), "Pupils shall be provided with statistics based on the latest medical information citing the failure rates of condoms in preventing AIDS" presumes an agreement on the sources of the "latest medical info" and a high percentage failure rate. The CDC (Centers for Disease Control) states that "recent studies provide compelling evidence that latex condoms are highly effective in protecting against HIV infection when used properly for every act of intercourse." Since we know that teens, who especially believe they are invincible or "it won't happen to them", do not change their behavior on the basis of the information they have, whether it's drinking and driving, smoking or the use of condoms, the importance of this evidence must be stressed. The procedure of consistent and correct use should also be taught; these are gifted young lives we're talking about and women and teens are the groups with greatest increase of HIV infection.

Larry and I agonize that we did not have the information that would have saved our son's life because his exposure was too early, but now we can teach what causes the virus and how it can be prevented. All our young Kansans have the right to know.

We should all be able to agree that premature initiation of sexual activity carries health risks. We should strive for a climate supportive of teenagers who don't buy into the constant messages of "just do it" and don't have sex. But we must understand that many will continue sexual activity. These kids must have the message to practice safer sex and to use condoms. Protection of the individual and public health will depend on our ability to effectively combine these messages.

Dr. Donna Sweet stated in a meeting on Monday that she believes this bill will shut down AIDS education in Kansas. A friend shared a story of a sex education film shown to parents and two young women, both black, one pregnant. Viewing the film in school required written parental consent, and the girls' mother had not cared enough to return the form. When one of the women questioned why those girls should be present, the pregnant girl

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Testimony of Anita Jones  
House Education Committee

rose and stated articulately that they surely believed that at almost 17, she had the information to prevent her pregnancy. In fact, she said, she didn't-- her mother had not told her--her information came from an older sister who didn't know anymore than she did. She concluded "If my mother had cared enough about me, I wouldn't be pregnant now." Wouldn't it be tragic if 10 years from now, a young man or woman would say "If only my health teacher, if only my principal, if only my representative had cared enough about me, I wouldn't be dying.

Margot Breckbill, BSN, RN  
618 North Doreen Court  
Wichita, Kansas 67206  
316-634-2244  
February 22, 1995

**TESTIMONY FOR HOUSE EDUCATION COMMITTEE  
House Bill 2301**

Senator Chronister and Education Committee members,

Thank you for this opportunity to present my views. I am speaking as Co-Chair of the Sedgwick County Adolescent Pregnancy Network and as a Kansas Action for Children Board member.

I have been working with pregnant and parenting teens in Wichita and Sedgwick County for ten years. I, also, teach Human Sexuality at Wichita State University. I worked hard as a KAC Board member in 1987 to achieve the Human Sexuality/AIDS Mandate in Kansas. I do not believe that the state legislature of Kansas should be writing the curriculum on sexuality. It is an effort to legislate morality and impose white middleclass views on all segments of society. Also, it will not work. I spend a lot of time in schools. I take the teen mothers in to speak honestly about teen parenthood as part of the USD 259 curriculum. All sex education is abstinence based. I certainly stress that I do not think 8th graders should be having sex. However, when I say that, I always see shutters come down over some of the young peoples' eyes and I know they have already made another choice. Many of our young people are sexually acting out. They are emotionally needy because their parents are too preoccupied with drugs and alcohol or earning a living to give them the time and attention that they need. Unfortunately, television, the movies, and today's music tell young people that sex is love so they attempt to meet their needs through sexual intercourse. As we all know, this often ends in disaster. ("There are over 20,000 scenes of sex on television a year from innuendo to intercourse - more extra-marital than marital." Center for Population Options)

As adults, we know that young people do not have the emotional maturity to handle intercourse. However, this will not act as a deterrent. Most girls do not even enjoy intercourse but they enjoy feeling close to someone and

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having their undivided attention.—The young women I deal with have low self-esteem and an inability to say "no" to their boyfriends. When we were speaking yesterday, a young man asked the teen moms what kind of birth control they had used. Out of five girls, not one had used any method. When he asked why, they each replied they didn't think it could happen to them. The myth of invincibility and concrete thinking are our biggest enemies when it comes to sex education.

I realized last night that I and all of us have had very unrealistic expectations about sex education. We anticipated that young people would immediately realize the importance of the information, internalize it and live by it. Unfortunately, the teen pregnancy rates and sexually transmitted disease rates do not indicate that sex education has made a dent. However, young people are getting some insight to how their bodies work and they are picking up some knowledge. We wouldn't give up on Driver's Education because a few graduates had auto accidents and I don't think we can write sex education off as a failure. Some of the success of sexuality education is directly linked to the teacher, their comfort level and commitment to it.

I worry a lot about HIV/AIDS. We know that AIDS is now the #1 killer in the 25-44 year age group. This means that many of those who die acquired HIV as teenagers. We know we have one identified HIV positive student in each Wichita High School. We have no idea how many students there are who have not been diagnosed **yet**. Without comprehensive sex education, we are condemning many young people to death. Lack of knowledge is a ridiculous reason to die. Condoms, when used consistently and correctly, have been proven to be effective particularly when used with spermicide with non-oxynol 9.

In Wichita USD 259, many of the provisions in the bill are already in place. Parents have always been able to view the curriculum and it is presented publically several times a year. Parents have always been able to opt their child out. Parents can check out a companion workbook from the school library so they can study along with their child. Worksheets are sent home in hopes that parents will start talking with their children about sexuality. The thirty day notification might obstruct a speaker who was available at the last minute. The curriculum we use in Wichita is "Values and Choices" which presents seven human values essential to the growth and maintenance of all positive human relationships. They are: 1-equality

2-honesty 3-respect 4-responsibility 5-promise-keeping 6-self-  
control 7-social justice.

The Human Sexuality/AIDS mandate of 198<sup>7</sup> stipulated that each school district in Kansas was autonomous and should select the curriculum that best suited the needs of their community. I believe this is the way it should remain. If we want to attempt to change sexual behavior through legislation, I suggest we make the penalties more severe for men. I was extremely upset last year when the Indecent Liberties with a Minor age was lowered from 16 to 14. The Legislature seemed to be giving 15 and 16 year olds permission for intercourse. I knew a 14 year old girl last year who met a 28 year old man at a party. He got her drunk and got her pregnant. She has now dropped out of school and he has committed two criminal acts and suffered consequences for neither. I would, also, like to see Child Support Enforcement empowered to more vigorously pursue men. Over 70% of teens are impregnated by men 19 or over. Until men realize they will suffer consequences for making babies, I don't think much will change.

"Sex education is a continuous process and it begins the moment you are born. It's in how you are bathed, how you are diapered, how you are toilet trained, in respect for the body, in the notion that bodily feelings are pleasant and that bodily functions are not disgusting.

How you feel about sex comes from watching how your parents live together, how they enjoy each other's company, the respect they have for each other. Not from what they do in bed together."

Bruno Bettelheim, Child Therapist

There are over 20,000 scenes of sex on television a year from innuendo to intercourse - more extra-marital than marital.

Center for Population Options

**SEXUAL ACTIVITY**

Between 1970 and 1988, the proportion of females 15-19 who had ever had premarital sexual intercourse increased from 29% to 52%.

	<u>1970</u>	<u>1975</u>	<u>1980</u>	<u>1985</u>	<u>1988</u>
<b>Proportion of females 15-19 who have had premarital sex</b>	29%	36%	42%	44%	52%

Older teens are far more likely to have had sex. Blacks and males are more likely to have had sex before any given birthday, especially during the early teen years. (Comparable data are not available for Hispanics.)

<b>Percent having had sex by the date they turned:</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
<b>White Females</b>	10%	24%	39%	56%	76%
<b>Black Females</b>	18%	33%	54%	67%	79%
<b>White Males</b>	16%	33%	53%	70%	76%
<b>Black Males</b>	48%	64%	78%	85%	96%

Facts at a Glance - January, 1992

Testimony  
Presented by Juanita Smith, R.R., M.Ed.  
Shawnee County Teen Pregnancy Prevention Program  
YWCA of Topeka

During my many years of experience in working with teenagers, I have been privileged to coordinate three successful Teen Pregnancy Reduction Projects one in Roanoke, Virginia, one in Spokane, Washington and the one where I am currently the program director. We are housed at the YWCA of Topeka and reach youth, parents and interested citizens throughout Shawnee County. The group we are targeting in this project are 10-17 year old youth. The pregnancy rate among 10-17 year old girls in Shawnee County has reduced by 27% since the program was initiated in January, 1992.

We were directed by your legislative bill to carry out two educational objectives.

- (1) Promote abstinence and the postponement of sexual intercourse.
- (2) For teens who are determined to be sexually active, teach effective contraception which will help to prevent unintended pregnancies and the spread of sexually transmitted diseases among school-age teens.

We do promote abstinence! We emphasize not only the possibility of a pregnancy/fathering a child and the need to halt the epidemic of sexually transmitted diseases among teens, we also discuss the importance of making choices that will increase teens' positive feelings about themselves. We provide educational opportunities which show that too early sexual experiences tend to create many problems for teens - their respect for themselves and others, for example.

We use teens who are abstinent on panels to explain their choices. We present videos which require the students to recognize and discuss the consequences of their sexual choices.

Even though surveys indicate that the age at which youth in Shawnee County initiate intercourse is increasing and the percentage who remain abstinent is going up also; over 45% of youth in the tenth grade report that they are having sex. Stressing that any teen can turn around and begin saying no to sex does help for a few. However, I believe we owe the remaining 40-41% an opportunity to learn about contraception. I call this class "No and other ways of preventing pregnancy and the spread of STD's."

We always have teens who have experienced contraceptive failures point out that the only 100% effective birth control is abstinence. Parents are notified before any of these classes are taught and may ask that their child have an alternate class. We often provide an alternate class. Youth today come from a wide diversity of

*House Education  
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family values. Thirteen year olds tell me they started having sex because the parent in the household seemed to be enjoying his/her nights with a friend of the opposite sex.

I firmly believe that sexual encounters are not a desirable part of any teens life, but all families have not by word or example set the stage for this choice to be one that every teen will make.

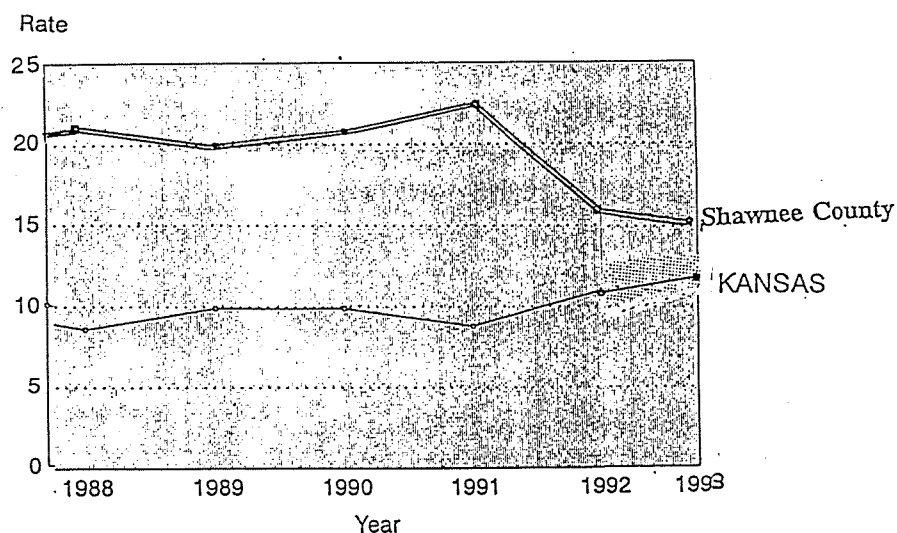
One of my major concerns about abstinence only curricula is that the approaches used to evaluate the outcomes have not been found to actually measure, over time, their ability to reduce the problem of teen pregnancy nor the spread of STD's among teens. Without question, many teens' decisions to remain abstinent are strengthened. I applaud this, and in fact two of are local high schools are starting support groups for abstinent teens with our help.

For the teens who have chosen to have sex and remain sexually active, information needs to be provided that will help them remain disease free and help prevent unintended pregnancies among our school age youth.

Our program outcomes demonstrate that this combination of educational opportunities works. More teens are choosing abstinence. For those who do not make this choice, a higher % are using contraception which helps youth keep their lives on track.

Thank you for your concern and all you do to help our young people. They will walk in all the paths of tomorrow where, at 75, I can never trod.

### TEENAGE PREGNANCY RATES 1988-1993



Rates per 1,000 estimated 10-17 year old population  
Residence Data



My name is Jessie K. Tyson Ed.S., and I am a school psychologist in Wichita, Kansas. I am in opposition to portions of the proposed House Bill #2301. Parts of this bill are unconstitutional. I cite the following resolutions and Acts of the federal government:

Resolution adopted by the NEA on July 7, 1988.

C-11 Student Sexual Orientation

The National Education Association believes that all persons, regardless of sexual orientation should be afforded equal opportunity within the public education system. The Association further believes that every school district should provide counseling for students who are struggling with their sexual/gender orientation.

Educators feel that students and adults in both schools and offices should treat all persons equally and respectfully and refrain from the willful or negligent use of slurs against any person on the basis of race, language spoken, color, sex, religion, handicap, national origin, immigration status, age, sexual orientation, or political belief.

The reluctance of educators to deal candidly with teenage sexual orientation issues places a significant number of adolescents at risk, not only of school failure but if endangerment...even death. Gay and lesbian teen suicides account for about 30% of all teen suicides. Estimates vary for the number of teens who are gay or lesbian, ranging from 5% to 15%. If these estimates are accurate, there are somewhere between 600 to 1,800 gay or lesbian students in the Wichita Public Schools in the high schools alone. There are thousands statewide.

Please do not enact a bill that would continue discrimination and prejudice in any form.

*House Education  
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2-22-95*

**On August 11, 1984, Congress passed the Equal Access Act to eliminate the "perceived widespread discrimination" against religious speech in public secondary schools. Because of pressure from then President Regan and other conservative leaders, this Federal Law was passed to permit student-initiated groups to meet within public school secondary facilities.**

**Obviously, curriculum-related groups have the freedom to meet. The Act applies to non-curriculum related groups, such as religious prayer meetings and Gay and Lesbian groups. If the school permits non-curriculum related clubs to meet, then under the Equal Access Act, all other non-curriculum related clubs must be permitted to meet as well. In order to qualify under the Act, the group must be student-initiated and student led. Access must be open to everyone who wishes to participate, and attendance must be voluntary.**

**While the school administration retains the right to maintain order and discipline and to protect the well-being of all students and faculty, it cannot simply refuse to permit a group to meet because it disagrees with the focus of the group or because the existence of the group may cause controversy.**

**The text of this Act can be found at 20 U.S.C., Section 407-74.**

Recently there has been an unprecedented interest in the subject of homosexuality. Part in due to the increasing visibility of the "gay rights" movement in the United States. Unfortunately this frequently comes about because of health concerns surrounding the AIDS epidemic. Little attention has been given to the subject of childhood and adolescent sexuality. As a nation we have closed our eyes whenever the subject of sexuality has come up. Also our ignorance on these issues is fairly apparent. Sexual issues are typically only discussed in the form of dirty jokes. While in fact sexuality is the core of our being. Those intrusted with the education of our young, have an obligation to educate. Education does not mean an obligation to educate with only one side of an issue being made, or being told that particular sexual acts are not allowed. Children need to be aware of ALL facts and then intrusted with the faith that they will make personal choices that are right for themselves. It is NOT our obligation to make their choices for them. Our education system is often silent on the subject of sexuality. This silence comes from fear of the unknown and a general lack of knowledge on this subject matter ourselves. People don't know what to think or say on this issue, and our silence is causing the deaths of our children. This is discrimination that not only harms homosexual children but hinders the development of heterosexual children as well. Acceptance of prejudice against students in any form is wrong. This is an issue of basic human rights. Not and issue of right or wrong. There is in fact as great a diversity in sexuality as there is in sexual acts. Refusal to speak about sexuality and /or homosexuality will not make it go away. Refusing to talk about it except in negative terms is wrong, as is telling people they can only be sexual in the confinement of a marriage or monogamous relationship. While this is the ideal situation, it is not an option for all individuals at this time. Telling a large group of individuals that they are not allowed to be sexual is

the right of no government, certainly not a free nation such as ours. Sexual activity , and the decision whether to be sexual or not ,remains a basic right of each individual. in this country. Homosexuality is a normal variation in sexual orientation. Homosexuality is a biological issue. It is not a choice for anyone. The choice comes in whether or not a person is allowed their sexuality or whether they are forced to live in fear. Homophobia and prejudice walk hand in hand.

A minority is defined as any group or segment of society that suffers unjustified negative acts by the rest of society. At this time many lesbian and gay adolescents are not willing to risk the ridicule and harassment that accompanies being open about their sexuality. They are forced into concealment and hiding. They are forced to live a lie, and to live in fear. Children who reveal their sexuality in the public schools MUST NOT be subjected to ridicule from their teachers and fellow students. Verbal and physical abuse undermine their ability to learn and frequently cause them to drop out of school or attempt suicide. These students are not allowed to live up to their potential, and many are not allowed to live. Their basic human rights have not been met. People need to be accepted for who they are...not judged for what they are.

In June of 1994, as a psychologist for the USD #259 school system , I was allowed to do research on the subject of Gay and Lesbian students for the other psychologists in our district. This was followed by a workshop on Diversity, with homosexuality as it's main topic. After this very successful conference, a committee was set up called the School Project committee, with another psychologist and I as co chairmen. The acceptance of a gay student during a counseling session at Southeast High school led to the formation of Wichita's first student initiated and student led support group. Within weeks students' at other Wichita high schools were forming their own groups. I started getting inquiries from surrounding school

districts from students and counselors asking for information on this subject matter. This year a \$1,000.00 scholarship will be offered to a Gay, Lesbian or Gay friendly high school senior. Brochures have been handed out in the schools, and safety zone posters have sprung up all over the district. Support groups are allowed to advertise in Noise, the area teen newsletter, as well as specific school newsletters. The issue became visible. The students became visible. Wichita has become a model for the midwest.

Educators have become committed to the education of all youth. Providing accurate information to educators, and students is the key. Public education that teaches children to live peacefully in an increasingly diverse society should be our main focus.

Future workshops and training sessions are in the works. We are trying to teach responsibility, and are certainly not encouraging students to commit sexual acts, we are simply trying to acknowledge the fact that we are all sexual beings. We are trying to do our job...to educate.

**TESTIMONY PRESENTED**

**BY**

**TERRY A. PROCTOR**

**HOUSE BILL 2301**

I am here today to testify in opposition to HB2301 as written. My perspective on the issue raised in this bill come from my experience as a parent of three children and my former employment for several years as an HIV/AIDS Education Coordinator for a community based organization here in Kansas.

Although it is admirable to attempt legislation for the health and welfare of school aged children, this act does not provide an inclusive approach to STD prevention. I am speaking here about the constant reference to marriage as the relationship of choice. It is my understanding that the alienation of some members of an audience is one of the "cardinal sins" of education. It seems to me that the term "mutually monogamous relationship" would avoid exclusion of a potentially large number of young people and their parents, some of whom may be at very high risk of HIV infection. Furthermore, I believe that references to marriage as a standard for normal behavior could be interpreted as shame-based education. I do not believe that this manner of education is an intended consequence of this bill. Therefore, I urge the members of this committee to consider rewriting HB2301 to reflect a more inclusive approach to human sexuality and AIDS education.

Thank you for your attention.

Terry A. Proctor  
826 SW Lindenwood  
Topeka, Ks 66606

*House Education  
Attachment 10  
2-22-95*



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 W. 10TH STREET / TOPEKA, KANSAS 66612-1686

Susan Chase Testimony Before  
House Education Committee  
Wednesday, February 22, 1995

Thank you, Madam Chairman. I am Susan Chase and I represent the Kansas National Education Association. I appreciate the chance to appear before you today in opposition to HB 2301.

This committee and the QPA subcommittee have spent numerous hours discussing the role of the legislature in the managing of the State Board of Education, school districts, and schools. The message that came across during those discussions is the legislature is to oversee the process, authorize bodies to act, and recommend direction. I also believe a very strong message from this group was that curriculum, goals, and procedures were to be determined at the local level. I believe that by approving this measure you will be in opposition to this direction.

Currently, no statute exists that sets curriculum. We ask that you not begin now by defining what curriculum is to be taught in the area of Human Sexuality and Aids. We urge you to not pass this bill out favorably.

Thank you for listening to our concerns.



Planned Parenthood®  
Of Kansas, Inc.

**Testimony in opposition to HB 2301  
By Douglas E. Johnston  
Planned Parenthood of Kansas**

Statistics show a frightening trend in the rate of HIV infections and AIDS cases. As of June 30 of last year, 1,212 Kansans have suffered the onslaught of AIDS. At the same time, 749 have died as a result of complications from AIDS. More than 26% of AIDS cases inflict young people under 30 years of age. The 10 year gestation period of AIDS indicates approximately 26% of persons suffering from AIDS were infected when very young.

Comprehensive human sexuality and AIDS education must be part of the answer to the horrible plague of HIV/AIDS.

House Bill 2301 mandates specific sexuality and AIDS education curriculum for all school districts. However, the legislation would take away local control and would negatively impact comprehensive human sexuality and AIDS education. Planned Parenthood of Kansas opposes House Bill 2301.

- House Bill 2301 is an attack on local control of school districts.
- House Bill 2301 is unnecessary. The bill mandates several requirements for parental involvement that most if not all school districts already require.

HOUSE BILL 2301 would mandate teaching "that abstinence from sexual activity outside of marriage is the expected standard for all school age children." The bill outlines several requirements for offering sex education in public school districts, most of which already follow very similar guidelines developed by locally-controlled school boards. The problem is it takes away local control and mandates curriculum that could easily be interpreted to mean unmarried monogamous couples that live together face higher risk of unplanned pregnancies and sexually transmitted diseases. This is not only patently untrue, but it is a moral teaching.

Education is not the only answer to the horrible plague of HIV/AIDS, but it must be part of the solution. Please support comprehensive human sexuality and AIDS education.





# Fact Sheet

## Planned Parenthood® Federation of America, Inc.

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### Sexual and Reproductive Behavior Among U.S. Teens

#### Sexual Activity

- In 1988, 50 percent of unmarried 15-19-year-old women and 60 percent of unmarried 15-19-year-old men reported that they had had sexual intercourse. (1) (2)
- Levels of sexual activity increase with each successive year of age. In 1988, 27 percent of unmarried 15-year-old women and 33 percent of unmarried 15-year-old men had had intercourse; 75 percent of women aged 19 and 86 percent of men aged 19 had had intercourse at least once. (1) (2)
- Teens are initiating sex at younger ages: From 1982 to 1988, the percentage of unmarried 15-year-old women who had had intercourse rose from 19 percent to 27 percent. From 1979 to 1988, the percentage of unmarried men aged 17 living in metropolitan areas who had had intercourse rose from 56 percent to 72 percent. (1) (2) (3)
- Sexual activity levels also vary considerably by racial and ethnic group: In 1988, among those never-married, 81 percent of black men, 60 percent of Hispanic men, and 57 percent of white men aged 15-19 had had intercourse. The proportions among all women aged 15-19 were 61 percent, 49 percent, and 52 percent, respectively. (1) (2)
- Most of the increase in female sexual activity in the 1980s was among white teenagers and those in higher-income families, narrowing the previous racial, ethnic, and income differences. (1)
- In 1988, six in 10 sexually active women aged 15-19 reported having had two or more sexual partners. (1)

#### Sexuality Education

- The ability to measure the relationship between sexuality education programs and teen pregnancy is limited by many factors, including the lack of data on the sexual activity of teens on the state or local level. (19)
- Studies have found no conclusive evidence that sex education, however defined, causes teens to become sexually active earlier or later. (17) (18)
- In-depth studies of a few specific sex education programs have shown evidence of greater delay in teens' becoming sexually active, at least over the short run. (22) (23)

- o Sexuality education programs have been shown to effectively provide information about reproduction and contraception and thus increase teenagers' knowledge about these subjects. (17) (18) (20)
- o Nearly all junior and senior high school teachers report that their schools offer sexuality education in some form, but most think that too little time is spent and that sexuality education is often provided too late. (16)
- o On average, secondary schools offer only 6 1/2 hours a year on all sexuality education topics, and less than two of those hours focus on contraception and the prevention of sexually transmitted diseases (STDs). (16)
- o Most states and large school districts in the U.S. support sexuality education in their public schools, yet one-third of the states and one-fifth of the larger school districts do not require or encourage their schools to teach pregnancy prevention. (16)

### Contraceptive Use

- o Substantially more teenage women today use a contraceptive method the first time they have intercourse than did so in 1982 (65 percent versus 48 percent). Yet one-third use no protection the first time they have sex. (1)
- o The overall increase in contraceptive use at first intercourse is almost entirely the result of a dramatic increase in condom use, which doubled during the 1980s (from 23 to 47 percent). (1)
- o In 1988, 79 percent of sexually active teenage women were currently using a contraceptive method -- up from 71 percent in 1982. (1)
- o Teenage women are more likely to use contraception now than in the early 1980s, but sexually active teenagers are more likely than any other age group to be nonusers of contraception -- one in five currently use no method of contraception. (1)
- o In 1988, 57 percent of sexually active unmarried young men aged 15-19 reported that they used a condom the last time they had intercourse. Among those aged 17-19 living in urban areas, condom use more than doubled between 1979 and 1988 -- from 21 to 58 percent. (2)
- o Considerable differences exist by race and ethnic group in condom use among unmarried men aged 15-19: In 1988, 66 percent of black men, 54 percent of white men, and 53 percent of Hispanic men used a condom the last time they had intercourse prior to being surveyed. (2)
- o In general, young women are more likely than older women to have an accidental pregnancy while using any given method of contraception. 11 percent of teenage pill-users experience a contraceptive failure during the first year of use, while the user-failure rate among women aged 15-44 is 6 percent. (4)

### Teenage Pregnancy

- o Each year more than one million teenagers become pregnant (1,014,620 in 1987) -- one in nine women aged 15-19 and one in five who are sexually active. (5)
- o In 1987, the teenage pregnancy rate was 109 per 1,000 women aged 15-19. The rate was 72 per 1,000 among those aged 15-17. (5)
- o Nonwhite teenagers have twice the pregnancy rate of white teenagers -- in 1987, the rates were 189 and 90, respectively. (5)
- o 50 percent of teenage pregnancies conceived in 1987 resulted in a birth, 36 percent in an abortion, and an estimated 14 percent in miscarriage. (1)
- o By age 18, one in four young women (24 percent) will have a pregnancy; by age 20 more than four in 10 (44 percent) will do so. (7)
- o 21 percent of white teenagers and 40 percent of nonwhite teenagers will have a pregnancy by age 18; 41 percent of whites and 63 percent of nonwhites will do so by age 20. (7)
- o Nearly one in five teenagers who experience a premarital pregnancy will get pregnant again within a year. Within two years, more than 31 percent will have a repeat pregnancy. (7)
- o Eight in 10 teenage pregnancies are unintended -- nine in 10 pregnancies among unmarried teenagers and about half of those among married young women. (1)
- o States with the highest teenage pregnancy rates in 1985 were: California (151), Alaska (144), Georgia (132), Texas (131), Arizona (128); states with the lowest rates were: North Dakota (60), Minnesota (62), Iowa (67), South Dakota (70), Wisconsin (73). (6)
- o The number of teen pregnancies and the teen pregnancy rate (pregnancies per 1,000 women aged 15-19) rose gradually during the 1970s but leveled off in the 1980s. In 1972, the pregnancy rate was 95; in 1980, it was 111; and in 1987 the rate was 109. (5) (6)
- o U.S. teenagers have one of the highest pregnancy rates in the western world -- twice as high as rates found in England, France, and Canada, three times as high as that in Sweden; and seven times as high as the Dutch rate. (8)
- o A 1985 international teenage pregnancy study concluded that teen pregnancy rates are lower in countries where there is greater availability of contraceptive services and sex education.
- o The U.S. teenage childbearing rate is halfway between Canada's and Latin America's. By the end of their teenage years, one in nine women in Canada, two in 10 in the U.S., three in 10 in Brazil, and five in 10 in Guatemala, have their first child. (9)

### Teenage Childbearing

- o About half of all teenage pregnancies end in births. In 1988, teenage births totaled 488,941. (11)

- o In 1988, two-thirds of births to women under age 20 were to unmarried women -- 54 percent of the births to whites and 91 percent of the births to blacks were nonmarital. (11)
- o In 1988, there were 10,588 babies born to teenagers aged 14 and younger -- 94 percent of these births were nonmarital. (11)
- o Nearly three-quarters (73 percent) of births to teenagers result from pregnancies that are unintended. (1)
- o The teen birthrate in 1988 was 53.6 births per 1,000 women aged 15-19; the rate among those aged 10-14 was 1.4. (11)
- o The birthrate for teens aged 15-17 increased 10 percent between 1986 and 1988; the 1988 rate was higher than in any year since 1977. The increase occurred entirely among nonwhites and Hispanics. The birthrate in 1988 among white teenagers aged 15-19 was 43.7 and 95.3 among nonwhite teenagers. (11)
- o Of women having their first birth in 1988, 23 percent were teenagers -- among whites, two in 10 first births were to teenagers; among blacks, four in 10 were to teenagers. (11)
- o Nearly one-quarter (23 percent) of all babies born to teenagers in 1988 were not first births. (11)
- o More than nine in 10 teenagers who give birth keep their babies; few place their babies for adoption. (12)
- o On average, 33 percent of women under age 20 who give birth receive inadequate prenatal care, either because they start care late in their pregnancy or they have too few medical visits. (21)

### Consequences of Early Childbearing

- o Teenage mothers are at greater risk of socioeconomic disadvantage throughout their lives than those who delay childbearing until their twenties. They are generally less-educated, have larger families, and have higher levels of nonmarital, unintended births. (7)
- o More teenage mothers are now graduating from high school than ever before, yet only half of the women who have their first child at age 17 or younger will have graduated from high school by age 30. (14)
- o Teenagers who become mothers are disproportionately poor and dependent on public assistance for their economic support. (7)
- o Public funds pay for the delivery costs of at least half of the births to teenagers. (24)
- o The government spent over \$21 billion in 1989 for social, health, and welfare services to families begun by teen mothers. Babies born to teen mothers in 1989 will cost U.S. taxpayers \$6 billion over the next 20 years. (15)
- o The children of teenage mothers are at greater risk of lower intellectual and academic achievement, social behavior problems, and problems of self-control than are children of

older mothers, primarily due to the effects of single parenthood, lower maternal education, and larger family size. (7)

- o Although it is not inevitable, the daughters of teenage mothers are more likely to become teenage parents themselves. (13)
- o The younger the mother, the greater the likelihood that she and her baby will experience health complications, primarily due to later prenatal care, poor nutrition, and other lifestyle factors. (7)

### Teenage Abortion

- o Four in 10 teenage pregnancies (excluding miscarriages) end in abortion. (6)
- o While the rate of abortion (number of abortions per 1,000 women) among nonwhite teenagers (73) is considerably higher than the rate among white teenagers (36), the likelihood that nonwhite teenagers will end a pregnancy in abortion (abortion ratio) is about the same as for whites. (5)
- o 26 percent of all abortions in the U.S. each year are to women under age 20 -- in 1987 the total number of abortions in this age group was 406,790. (5)
- o Every year, about 4 percent of women aged 15-19 have an abortion. (10)
- o The top three reasons cited by pregnant teenagers for choosing to have an abortion were concern about how having a baby would change their lives, their feeling that they are not mature enough to have a child, and financial problems. (10)

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**Data and preparation by The Alan Guttmacher Institute. Produced by PPFA's Communications Division (FS-D1, 2/91).**

# FACTS in BRIEF

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## Pregnancy and Birth in the United States

### BIRTHS

- In 1990, there were more than 6 million pregnancies, of which 4,179,000 resulted in births and the rest in abortions and miscarriages. 7% of women aged 15–44 give birth each year.
- 41% of all births in 1989 were first babies.
- At any one time, 10% of sexually active women are pregnant, postpartum or attempting to become pregnant; half have had a first birth by age 26 and half have had the number of children they want by age 30.
- On average, women today have 2 children.
- Most births are to married women (73%) and are planned (60%).
- 98% of single women who give birth keep their child.
- Half of all births to poor women are unplanned.
- 13% of all births are to teenagers, 73% of these births are unplanned; 2/3 of births to teenagers are to those unmarried.
- Birthrates (births per 1,000 women) are highest among women aged 20–29, married women and nonwhite women.
- Birthrates for women aged 15–17 in 1989 (36.5 per 1,000) were 19% higher than in 1986 (30.6 per 1,000) and the highest since 1974.
- Birthrates for women aged 30–44 in 1989 were the highest since the early 1970s.

### LOW BIRTH WEIGHT AND PREMATURITY

- Most newborns are healthy; however, 1 in 5 in 1985 were born with a health problem.
- 7% of newborns are of low birth weight (LBW is defined as less than 5.5 lbs.); 10% are born preterm or before 37 weeks of pregnancy. LBW and preterm births rose in the late 1980s.
- Women who do not obtain adequate prenatal care have twice the risk of having a LBW or preterm baby.
- The proportion of LBW babies born to black women (13%) is more than double that of whites (6%) and is higher among Hispanics (6%) and Native Americans (6%); it is lowest among Asians (5%).\*
- Preterm births are higher among blacks (18%), Native Americans (12%) and Hispanics (11%) than among whites (9%) and Asians (7%).\*
- Large variations exist in levels of LBW, preterm delivery and infant mortality among counties within some states.

- States with the highest levels of LBW births include Ga., La., Miss. and S.C., and the District of Columbia; states with the lowest levels include Alaska, Maine, Minn., N.H. and N. Dak.

### INFANT AND MATERNAL MORTALITY

- The infant mortality rate (deaths of infants under age 1 per 1,000 births) was half as high in 1989 (9.8) as in 1970 (20); still, 1% of infants born die before their first birthday.
- The infant mortality rate among black babies, however, is more than twice that of white babies (18 compared with 8 per 1,000).
- Nearly 20 countries report lower infant mortality rates than does the United States; lower rates are due in part to higher rates of participation in prenatal care.
- Infant mortality rates are highest in the District of Columbia (22) and in Ala., Ga., Miss., N.C. and S.C. (11.9 to 12.6) and lowest in Mass., Maine, Minn., N.H. and Vt. (7.4 to 8.0).
- The maternal mortality rate (number of deaths to women from complications of pregnancy and childbirth per 100,000 live births) dropped from 9.2 in 1980 to 7.9 in 1989.
- The maternal mortality rate among black women (18.4) is double that of Hispanic women (9.2) and more than triple that of white women (5.6).

### ACCESS TO PRENATAL CARE\*

- Pregnancy and childbirth are relatively safe, but 6 in 10 mothers experience some health problems—half of which are major.
- 16% of women who give birth receive inadequate prenatal care—they begin care in the fifth month of pregnancy or later, or they begin early but make less than half the number of visits recommended by the American College of Obstetricians and Gynecologists.
- Only 3/4 of women who gave birth in 1989 obtained prenatal care in the first 3 months of pregnancy; 1/4 did not obtain care until the second trimester of pregnancy or later, or received no care at all.
- Between 1980 and 1989, the proportion of women initiating prenatal care in the last 3 months of pregnancy or receiving no prenatal care at all increased from 5% to 6.3%.
- 1/2 of teenage mothers receive inadequate care, a level about twice that of all mothers.

- 1/3 of unmarried women who give birth receive inadequate prenatal care, a rate 3 times that among married women.
- 32% of native American women, 27% of black women and 30% of Hispanic women obtain inadequate care, compared with 13% of white and Asian women.
- 8 states and the District of Columbia have 20% or more women receiving inadequate prenatal care (Ariz., Ark., Fla., N. Mex., Okla., S.C., Tex. and W. Va.); the District of Columbia (28%) and N. Mex. (27%) have the highest proportions of pregnant women receiving inadequate care.
- Barriers to prenatal care include lack of, or inadequate, public and private insurance coverage, lack of coordination between health and social services for low-income women, and inhospitable conditions at some prenatal care sites. Other obstacles include the lack of knowledge, and the attitudes, fears and lifestyles among some pregnant women.

#### PROVISION OF MATERNITY CARE\*

- 76% of all prenatal visits are to private physicians; 14% take place in hospitals and 10% in nonhospital clinics.
- Although low-income women are less likely than other women to go to private practitioners for prenatal care, private physicians are still the most common source of care for these women (40%). Hospital clinics provide care to 29% and health departments serve 23%; 8% of women obtain care from other sources.
- For uninsured women, health departments are the main source of care (49%); 23% of these women are served by doctors' offices and 22% by hospital clinics; 6% rely on other sources.
- More than 42,000 of all obstetricians-gynecologists (OB/GYNs) (83%) and general practice or family physicians (29%) provide obstetric care.
- At most, 5,400 clinic sites are involved in the delivery of prenatal care to poor women.
- 29% of hospitals are likely to provide prenatal care services because they handle at least 400 births annually, have an outpatient department and have an OB/GYN on staff.
- Community and migrant health services are highly concentrated and play a major role in the provision of prenatal care in only 6 states (Idaho, Nev., S. Dak., Vt., Wash. and W. Va.).
- No source of clinical prenatal care is apparent in 799 (26%) of all U.S. counties; 6% of all births occur to women who live in these counties.
- 99% of all births take place in a hospital; 1% take place at home, a birthing center, a clinic or a doctor's office. 95% of women are delivered by a physician, and 4% by a midwife.

#### FUNDING FOR MATERNITY CARE\*\*

- Prior to major changes in Medicaid maternity care coverage instituted in the late 1980s, 1 in 4 women of reproductive age (more than 15 million) had no private or public maternity insurance coverage; and 27% of the uncompensated hospital care in 1985 was maternity care.
- In addition to Medicaid, prenatal care services for low-income women are provided through Maternal and Child Health block grants to the states, grants to community and migrant health centers and grants through the Indian Health Service.

- Medicaid paid for 17% of all deliveries in 1985; it paid for more than half the deliveries to unmarried women and more than 1/3 of those to teens.
- It is still too early to determine the extent to which federal and state prenatal care reforms (such as expanded Medicaid coverage for prenatal care and delivery) may have increased pregnant women's use of prenatal care and improved maternal and infant health.
- Each dollar spent on providing more adequate prenatal care for poor women could reduce total public expenditures by more than \$3.00 for medical care to their infants in the first year of life.
- For every LBW birth averted by earlier or more consistent prenatal care, the United States saves up to \$30,000 in infant hospitalizations and associated long-term health care costs.

#### SOURCES OF DATA

The data in this factsheet are from research conducted by The Alan Guttmacher Institute, and from the Centers for Disease Control and Prevention, the Institute of Medicine, the National Center for Health Statistics and/or were published in *Family Planning Perspectives*. All data are from the latest year available. Unless otherwise specified, data are from 1989 and refer to women aged 15-44; numbers may not add to totals because of rounding.

\*1984-1986 data.

\*\*1985 data.

#### FOR MORE INFORMATION FROM THE ALAN GUTTMACHER INSTITUTE:

*Blessed Events and the Bottom Line: Financing Maternity Care in the United States, 1987, 64pp., \$15.00.*

*The Financing of Maternity Care in the United States, 1987, 424 pp., \$40.00.*

*Preventing Pregnancy, Protecting Health: A New Look at Birth Control Choices in the United States, 1991, 129 pp., \$20.00.*

*Prenatal Care in the United States: A State and County Inventory, 1989, Volume I and II, 412 pp., \$50.00.*

*The Need, Availability and Financing of Reproductive Health Services, 1989, 135 pp., \$25.00.*

*Family Planning Perspectives, 1-year subscription—6 issues: \$38.00 for institutions, \$28.00 for individuals.*

*State Reproductive Health Monitor: Legislative Proposals and Actions, 1-year subscriptions—4 issues: \$120.00 for institutions, \$100.00 for individuals.*

*Washington Memo, 1-year subscription—20 issues: \$60.00 for institutions, \$50.00 for individuals.*

Please include 10% of your order for postage and handling. Prepaid orders only.

Additional copies of this factsheet may be purchased for \$0.40 each—volume discounts are available.





sexuality  
information  
and education  
council of the  
united states

Chair, Education Committee  
State Capitol  
Topeka, Kansas

February 16, 1995

Dear Chair of the Committee on Education:

SIECUS offers this testimony against House Bill No. 2301 because of our interest in ensuring effective, appropriate sexuality education for all children and youth. SIECUS is a thirty year old, non-profit organization which collects and disseminates information about sexuality, advocates for the right of all people to make healthy decisions related to their sexuality, and educates professionals and policy makers about current research in the field.

In 1993, SIECUS published a report entitled *Unfinished Business* assessing the current State curricula and policies related to sexuality education. Kansas' *Human Sexuality and AIDS Education Guidelines* was identified as one of the four best programs in the country. House Bill 2301 has the potential to undermine the excellent educational guidelines which Kansas currently has in place. HB 2301 could be damaging for the following reasons:

\* Although abstinence from sexual intercourse, is the only 100% effective way to prevent transmission of STDs including HIV and teaching about the real benefits of abstinence is advisable, the current bill ignores the 75% of young women and 86% of young men who have intercourse at least once by the age of 19.

\* House Bill 2301 requires emphasis on the failure rates of contraception and condoms which will lower student confidence in condoms and thus discourage condom use. According to the U.S. Centers for Disease Control, short of abstinence, condoms are the most effective means of preventing STDs, including HIV. Several national, longitudinal studies underscore the almost 100% efficacy of condoms when used consistently and correctly.


\* House Bill 2301 approaches sexuality education with an emphasis only on the dangers and problematic consequences of sexuality. In addition, the bill does not require courses in human sexuality to help students to develop interpersonal skills. According to the scientific literature, the sexuality education courses which are most effective in helping students postpone intercourse or to use contraception when they do have intercourse are programs which develop communication and refusal skills, present an abstinence component and include information on contraception.

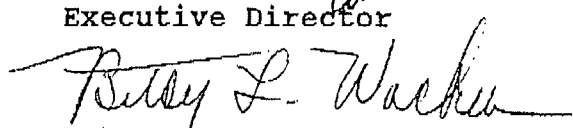
\* National polls consistently show that 85% of adults support sexuality education in the public schools, and over 90% support HIV/AIDS education. This mainstream support translates nationally into fewer than 4% of all young people being "opted out" of these programs. I urge you not to be swayed by the small group of people who would deny children information which is critical to their health and well-being.

SIECUS strongly recommends that you vote against House Bill 2301. The children and youth of Kansas deserve the balanced, responsible, and exemplary approach to sexuality education already outlined in the Kansas *Human Sexuality and AIDS Education Guidelines*.

Please feel free to contact SIECUS at any time if we can provide further information or assistance.

Sincerely,

  
Debra W. Haffner, MPH  
Executive Director

  
Betsy L. Wacker  
Director, Public Policy

Testimony of Doug Glaze  
House Education Committee Hearing on HB 2301  
February 22, 1995

My name is Doug Glaze. My high school education, ten years ago, was divided between the Minneola school district in Western Kansas and the Maize School District near Wichita. Neither high school presented me with information on the prevention of sexually transmitted diseases in a context relevant to a Gay teen.

I am a Gay man. I have always known this, and came to openly acknowledge that I was Gay during my first year of high school. When my high school teachers gave me information on human sexuality and the prevention of sexually transmitted diseases, it was not directed towards me as a gay teen. Because of this, it was not relevant to me.

Shortly after my first sexual experience, during my Senior year in high school, I was told that during this first experimental sexual experience, the Human Immunodeficiency Virus had been transmitted to me. In other words, I became HIV positive, meaning that because of this experience, I now carry with me the virus that causes AIDS.

Had my teachers made available information on human sexuality and HIV prevention that addressed my needs, the needs of a Gay teen, I would not be HIV positive today. Because my educators did not even think about these needs, there is a very good chance that my life will end before it should.

Portions of HB 2301 would make it even worse for a student in the position I was. Specifically, those portions of the bill that mandate that information regarding the prevention of sexually transmitted diseases, including AIDS, be given in the context of marriage. This would ensure that life saving information is not given to Gay students in a context they understand.

As we all know, marriage is denied Gay people. If you pass HB 2301, you will discourage high school educators from offering information to Gay students on the prevention of HIV in a manner that makes any sense to the very students who need to be educated against the dangers of HIV the most. What happened to me by oversight would then become the law.

Furthermore, HB 2301 mandates that educators tell students who are gay that they are criminals if they act on their inherent sexual orientation. I can attest to the fact that I did not choose to be gay. It is what I am, and I accept that. I do not accept that I am a criminal, simply because I love another man. Kansas's criminal sodomy law -- K.S.A. 21-3505 -- makes sex between two consenting persons of the same gender illegal. HB2301 mandates that educators inform students of this. If you pass this bill, educators will be teaching their students if

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they are Gay, they are a criminal. That I am a criminal. I am here to tell you that, although I do love another man, I am not a criminal. I reject that label.

I reject that label because I know who I am, and I am comfortable with who I am. Most high school students have not yet become comfortable with who they are. One of the largest causes of death to high school teens is suicide. "Up to thirty percent of completed youth suicides"<sup>1</sup> are gay and lesbian teens.

Imagine, on top of the incredible pressure gay students already feel, their educators also teach them that they are a part of the criminal element. It stands to reason that the stress which leads to suicide would be even higher than it presently is.

In conclusion, I would ask you to think long and hard about the ramifications of this bill. The lives of thousands of gay and lesbian students are virtually in your hands.

First, when you decide on this bill, ask yourself if you can justify withholding life-saving information about HIV transmission to a student simply because you don't accept their sexual-orientation. Second, ask yourself if you can justify the suicide of even one youth, simply for the chance to tell this youth that you believe he is a criminal.

I urge you, on behalf of the youth of Kansas, to reject this bill.

Thank You for hearing my testimony.

Doug Glaze  
1193 SW Jewell  
Topeka, KS 66604  
913-354-4714

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<sup>1</sup> Gibson, P. (January 1989). Gay Male and Lesbian Youth Suicide. Report of the Secretary's Task Force on Youth Suicide, 3 (January 1989): 110-42.

**AMERICAN CIVIL LIBERTIES UNION**  
**OF KANSAS AND WESTERN MISSOURI**  
706 West 42nd Street, Kansas City, Missouri 64111 (816) 756-3113

**Testimony in Opposition to HB 2301**  
House Education Committee, Hon. Rochelle Chronister, Chair  
Wednesday, February 22, 1995

The American Civil Liberties Union of Kansas and Western Missouri is a private, nonprofit public advocacy and service organization, and an affiliate of the national ACLU, which began in 1920. The purpose of the ACLU is to protect and advance civil liberties as guaranteed under the Bill of Rights through litigation, lobbying and education.

ACLU opposes HB 2301 because we support comprehensive sexuality education, and HB 2301 is far from comprehensive.

ACLU believes that a person's ability to exercise the individual freedoms guaranteed by the Constitution is facilitated by having access to full and complete information. By "comprehensive sexuality education," we mean a thorough, scientifically accurate curriculum that examines such subjects as human development, relationships, personal skills, sexual behavior and health, and society and culture.

Several ACLU policies compel us to take a stand against efforts to undermine comprehensive sexuality education in the public schools. We believe that individuals need to receive the fullest and most accurate information possible in order to make intelligent, informed decisions. Thus the ACLU is committed to the notion that a public school education should expose students to diverse viewpoints on controversial issues. Accordingly, we must oppose the mandated use of curricula which reflect a single religious viewpoint about controversial issues.

ACLU also opposes the use of curricula, such as that mandated in HB 2301, whose content reflects discrimination on the basis of sexual orientation and marital status. The issue is not that we seek to censor such biased material and bar its circulation in school; rather, we object to the use of such material as the exclusive base for instruction in a subject such as sexuality education.

We urge the committee to reject HB 2301.

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SALLY M. MORSE  
PRESIDENT OF PARENTS, FAMILIES AND FRIENDS  
OF LESBIANS AND GAYS  
WICHITA CHAPTER

P. O. BOX 686  
WICHITA, KANSAS 67201-0686  
TELEPHONE (316) 684-FLAG  
FAX (316) 687-2789

FEBRUARY 22, 1995

TESTIMONY IN OPPOSITION TO HOUSE BILL NO. 2301

LINE 21 (i)

My name is Sally M. Morse. I am here to testify in OPPOSITION to House Bill 2301, line 21, (i). I am the President of Parents, Families, and Friends of Lesbians and Gays, Wichita Chapter.

Rep. Chronister and Honorable Committee members, I ask you to consider the experience of a young man from Wichita:

"I thought that I might be gay and that secret had been tearing me up for a long time now. I had many cuts on my arms and chest. I had even thought of suicide. Once, I even looked down the barrel of a gun and contemplated pulling the trigger."

Chris was thrown out of his home and then turned in as a runaway. When taken to the Youth Residence Hall, he was told that "We usually don't take your kind" and was separated from the other young men. He approached a school counselor for assistance and was turned away because she had no training in dealing with suicidal gay youth and knew of no resources.

And then there is James:

"I had to transfer from Augusta High School because I was harassed by my fellow classmates. I transferred to El Dorado High. After two months, one of the kids asked me, "Are you a fag?" I came out and told him "Yes". From that point on I was harassed and told if I didn't give kids money that I would be beat up. I refused. Then one day after school I went to McDonalds and was sitting in a parking lot in my car and was pulled out by surprise and beaten up."

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The Cancer Institute's Laboratory of Biochemistry reported in the journal Science that families of gay men included a much higher proportion of homosexual male relatives than found in the general population...especially on the mother's side. This along with other tests suggest that male homosexuality may be inherited.

Karen Harbeck of the National Institute for Gay, Lesbian and Bisexual Youth in Education reports:

By age ten-young gays begin to realize that it might be a possibility.

By age fifteen-they are self-labeled.

By age 16-they might tell someone

If it is a peer, their reaction could make the difference in whether or not this youth becomes suicidal.

By age 17-if they are still alive, they wish they were dead.

In 1989, the United States Department of Health and Human Services issued a stunning report on youth suicide, with a chapter on gay and lesbian youth suicide. The suicide rate for youths aged 15-24 rose 170% as opposed to only 20% for the total population. Even more striking was the fact that gay and lesbian youth accounted for approximately one-third of all youth suicides.

Gay and lesbian adolescents do not grow up in a supportive cultural environment that can act as a buffer against stigmatization. When gay or lesbian youngsters are called "fags", or "dykes" most have no one at home to help them maintain their self-esteem in the face of prejudice. Of all homeless youth-at least 25% are gay or lesbian and are turning to prostitution as their means of support which makes them prime candidates for HIV infection. 28% drop out of school as did Chris and James because of the physical violence and verbal harassment.

I would ask that you not add one more stigma to the climate that our youth already face within their schools. Teaching all youth that it is unlawful for a person to engage in sexual acts with another person pursuant to the statutory provisions contained in article 35 of chapter 21 of Kansas Statutes Annotated. Please do not drive one more youth to cross over the line to suicide

because of the mythology associated with homosexuality.

I never ever imagined that I would be here today asking for your understanding on this issue. I have a very conservative background and have experienced a painful journey in coming to an understanding of homosexuality. Please open your hearts and search out the truth for yourselves.



## KANSAS GAY YOUTH AT RISK

### **SUICIDE**

In 1989, the United States Department of Health and Human Services issued a stunning report on youth suicide, with a chapter on gay and lesbian youth suicide. Statistics in the report revealed that between 1950 and 1980, the suicide rate for youths aged 15-24 rose 170% as opposed to only 20% for the total population. Even more striking was the fact that gay and lesbian youth accounted for approximately one-third of all youth suicides. Five hundred thousand young people attempt suicide annually; of these gay and lesbian youth are two to three times more likely to attempt suicide than their heterosexual peers. The report also revealed that suicide is the leading cause of death among gay and lesbian youth.

### **VIOLENCE**

Gay and lesbian youth face numerous, often unendurable obstacles growing up gay or lesbian in society. Gay and lesbian youth exist in a society that in attitude and behavior discriminates against them. Society at large creates a mythology about gay and lesbians, and virtually denies the existence of gay and lesbian youth. Overt hostility, in addition to ignorance and silence, surrounds gay and lesbian youth. This often takes the form of physical violence and verbal harassment, leading 28% of gay and lesbian youth to drop out of high school, according to the U. S. Department of Health and Human Services. Gay male, lesbian, bisexual, and transexual youth comprise as many as 25% of all youth living on the streets in this country. Here, they enter a further outcast status that presents serious dangers and even greater risk for suicide and violence. Research by Professor James Sears of the University of South Carolina showed that eight (8) out of ten (10) teachers in training harbored anti-gay attitudes. For many there is no haven in their homes as 26% are forced to leave home because of conflicts over their sexual orientation. (Gibson, "Report of the Secretary's Task Force on Youth Suicide", 1989). A survey of 2,074 gay adults conducted by the National Gay and Lesbian Task Force in 1984 found that 45% of the males and 20% of the females reported having experienced verbal or physical assaults in secondary school because they were perceived to be gay or lesbian..of this group being harassed, 44% were suicidal.

### **HIV**

More than a decade into the epidemic, educators are frantically re-evaluating prevention strategies in the wake of what public health officials have dubbed the "second wave" of HIV infections among gay men. A 1993 report from the San Francisco Health Commission found that 12% of 20-22 year old gay men surveyed were HIV-positive, as were 4% of 17-19 year olds. If those figures are not quickly reversed, health officials say, the current generation of young urban gay men will have as high an infection rate by the time they reach their mid 30s as middle-aged gay men are thought to have today-- close to 50%. (The Advocate, May 31, 1994).

# One Mother's Story of the Perfect Family

## Sally Morse

### Community Connection

"Mother, you didn't really touch me for several years after we talked." I remember well the conversation of which he was speaking. It was one we had when he was 15. I think my first thoughts then were, "Well, there goes my perfect family." The end of my dream - and what was the perfect family?

It was not the family I grew up in. My beginning years were spent in a very dysfunctional family, culminating in my leaving home at 16. So it was important to me to have a home that was a refuge from the world - a place where my children could find love, attention and security. I found my strength and security from my church. Somehow it provided a support system that I didn't find from my family.

The Church meant everything to me. It had provided leadership opportunities and was the center of my spiritual, emotional, educational and social experiences. I didn't have to question or study out any issue. I was told how and what to think. It was very comfortable. As my children arrived, I found each of them to be a perfect part of my dream.

Then how did I reach a point where I was not able to touch a child with love and acceptance?

It was obvious from early childhood that Shawn was extraordinary. He was not interested in everyday living; he was composing symphonies. His ability to translate these creative masterpieces and designs was amazing. He was performing in professional theater when he was in junior high.

You would think that his life would be glorious. It was not. His life was a constant challenge because of his gentle nature, his sensitivity and his lack of interest in sports. I remember the children taunting him in grade school. This would help me later to realize that the imprint was already in place.

What had Shawn done to cause me not to really touch him with warmth for several years? He had said, "Mother, I think that I'm gay."

I had been a leader of youth in our church area for more than 12 years. I was fully aware of what the church taught about homosexuality. It was an abomination. The thought that this could be a possibility was more than I could bear. I buried my thoughts

and knew that Shawn would grow out of this "disease." So we decided to cure the illness by sending him to another state for the summer, and he quickly found an excellent job and was listed with a talent agency in that large city. He enrolled in a church school and made a decision to become a missionary for 10 years. He was sent to West Virginia. I was thrilled; this was part of my perfect family plan.

He was a marvelous missionary. He presented programs of his music at churches, rest homes and on street corners, attracting interested listeners for the church. His struggles continued in controlling his thoughts and desires - and feelings of unworthiness because of these thoughts. His mission president told him if he would pray and obey his church leaders, he would not have these thoughts. This was the same man who later told Shawn, in a moment of anger, that every time Shawn sang before a group of people and expressed a tender feeling for God it was a lie because he was sinful.

Upon his return home from his mission he was tormented and so were we, watching our son who was trying so hard to do what was right. He counseled for a year with a psychologist who, for the first time, suggested that his orientation could be genetic.

Shawn knew after that year that he was truly gay. I watched in horror, feeling that I had lost my child for eternity. I was embarrassed; what if other church members knew about him? And I knew the bishop of our ward was asking the psychologist questions about Shawn's progress. I began to ignore the situation because it was too painful for me.

After a couple of months he was living on his own, finally moving into an apartment with a new friend. It was probably about a month before I was introduced to his friend, Bill.

It was about this same time that an elder of the church suspected that Shawn was gay. He began harassing Shawn in notes and visits. He sent him an impersonal form letter asking him to respond to his church membership by marking the correct box. My son felt that he had experience enough harassment and marked the box that said he wanted his membership taken. Two months later, with no contact from anyone, he received a second letter, this time from the bishop, informing him of the date of his court (which could end with ex-communication).

My son wrote to the stake presidency

about his love for the church, his mission to West Virginia, and how the church would always be part of his life. He made one request, that someone acknowledge him and his letter with some contact regarding the outcome of the court. No one ever did.

No one came to talk to us, either, and we all felt alienated and cast out. Our bishop, when asked about it, said only, "Well, it's hard to talk about."

Life was very hard for me. No one to talk to about my loving son, and I certainly couldn't turn to the church. The situation became so tense and uncomfortable between Shawn and me that we didn't see each other for several months. I began to think back to what Shawn's mission president had said about how every time he stood before an audience that it was a lie. I knew that wasn't true. Shawn had always been a spiritual person.

I was blessed to have a close friend, Ann, who cornered me one evening. It was the first time I had been able to talk to anyone about my son. It was the beginning of my recovery. We went to a bookstore and she purchased a book for me to read - being that I could hardly pick up the book off the shelf, let alone let someone see me buy it.

The book was written by a group of parents with gay children. They represented Parents and Friends of Lesbians and Gays (P-Flag). Fortunately, I was able to find a Wichita P-FLAG group. I remember well that first night that I struggled into that support meeting with my good friend Ann at my side for support. It was so wonderful to be with a group of people who truly understood my pain and anguish. They put their arms around me and cried with me. One of the women really made an impression when she talked about her struggles and then all too soon her son died of AIDS. She made me realize that life is short and our children precious.

I began reading about the latest medical discoveries concerning researchers finding an anatomical difference in the brain structure of homosexual men and heterosexual men, a discovery that supports a theory that sexual orientation may be set by nature.

I read a book written by members of my church with homosexual children. This book, "A Peculiar People," relates the experiences of students at the church school that Shawn attended. If these students went to the counseling center for help, they were told to go to a porn shop and acquire

graphic magazines and take them to a local camera store where some of the pictures would be made into slides. They would go into a room in the counseling center where an electrode was attached to their arm and, while viewing the male pornographic pictures, random and painful electric shocks would be sent through their arms. The participant controlled the intensity of the shocks; some would leave with burns on their arms because they were so anxious to change their thoughts.

I remember Shawn saying to me, "Mom, do you think I would choose to be a member of the church and also be gay?" For so long I had felt so guilty about what I had caused; if I had only been a better mother. I began to think for myself, and it was scary but it was also very mind-opening.

That Mother's Day Shawn came in the door with a bouquet of flowers - the most beautiful daisies I had ever seen. I had not seen him for three months. It was a sweet reunion that I shall never forget.

Shawn has had a wonderful year. He has been with Bill now for almost three years. While in Wichita he worked at Music Theatre of Wichita, Crown Uptown Dinner Theatre, Wichita Center for the Arts, Kechi Playhouse and The Empire House. This last year he was chosen one of seven directors in the United States to be sent to the Kennedy Center.

We could not ask for a more devoted son. He can often be found in the back yard of our home playing in the sandpile with our grandson, and Bill - often you can find him at our neighborhood park with the same grandson flying a kite. But most important is the understanding, love and support that has empowered our family.

What I have come to recognize is that I do have the perfect family. That comes from now being able to see the uniqueness of each child and the opportunity that exists for each child to develop his own potential. Some times we have to lay down our own dreams and dream new dreams, the dreams our children create. I see many things in a new light. I am slow to judge, my sensitivity is deeper and my relationship with my children is warm.

"Mother, you didn't really touch me for several years after we talked." Those days are gone.

Sally Morse is president of the Wichita chapter of Parents-FLAG. It's help line is (316) 687-4666.

# One mother's story of the perfect family

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So we decided to cure the illness by sending him to another state for the summer, and he quickly found an excellent job and was listed with a talent agency in that large city. He enrolled in a church school and made a decision to become a missionary for 10 years. He had just turned 18. I was thrilled; this was part of my perfect family plan.

He was a marvelous missionary. He presented programs of his music at churches, rest homes and on street corners, and he inspired listeners for the church. His struggles continued in controlling his thoughts and desires - and feelings of unworthiness because of these thoughts. His mission president told him that if he would just obey his church leaders, he would not have these thoughts. This was the same man who later told Shawn, in a moment of anger, that every time Shawn sang before a group of people and expressed a tender feeling for God it was a lie because he was sinful.

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It was about this same time that an elder of the church suspected that Shawn was gay. He began harassing Shawn in notes and visits. He sent him an impersonal form letter asking him to respond to his church membership by marking the correct box. My son felt that he had experienced enough harassment and marked the box that said he wanted his membership taken. Two months later, with no contact from anyone, he received a second letter, this time from the bishop, informing him of the date of his court (which could end with ex-communication).

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Shawn has had a wonderful year. He has been with Bill now for almost three years. While in Wichita he worked at Music Theatre of Wichita, Crown Uptown Dinner Theatre, Wichita Center for the Arts, Kechi Playhouse and The Empire House. This last year he was chosen one of seven directors in the United States to be sent to the Kennedy Center.

We could not ask for a more devoted son. He can often be found in the back yard of our home playing in the sandpile with our grandson, and Bill - often you can find him at our neighborhood park with the same grandson flying a kite. But most important is the understanding, love and support that has empowered our family.

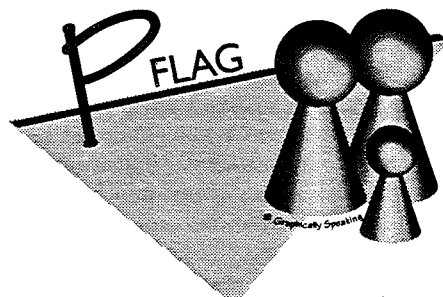
What I have come to recognize is that I do have the perfect family. That comes from now being able to see the uniqueness of each child and the opportunity that exists for each child to develop his own potential. Sometimes we have to lay down our own dreams and dream new dreams, the dreams our children create. I see many things in a new light. I am slow to judge, my sensitivity is deeper and my relationship with my children is warm.

"Mother, you didn't really touch me for several years after we talked." Those days are gone.

Sally Morse is president of the Wichita chapter of Parents-FLAG. Its help line is 316-687-4666.

## COMMUNITY CONNECTION

Community Connection, which appears on The Eagle's op-ed page on Wednesdays, is intended to present a wide range of issues on matters of concern to Kansans, whether personal, political or cultural. People interested in contributing to Community Connection should contact op-ed editor Shannon Lutzpelt at 368-6367.



The article you just read was printed in the Wichita Eagle on Wednesday, August 31, 1994. We are glad to see that media is beginning to make efforts to show different points of view on a more objective level.

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It all started about 2 1/2 years ago when I was a Sophomore in Augusta high school. I started getting by most of my fellow classmates when they noticed I was not dating girls, in order to continue my learning I transferred to Eldorado High school. There it went smooth for about 2 months then one of the kids asked me, "are you ~~gay~~<sup>a fag</sup>" he said meanly & teasing, I came outright & told him "yes". From that point on I was hassled, told if I didn't give kids money that I would be beat up, I refused, then one day after school I went to the McDonald's & was sitting in a parking lot in my car & was pulled out by surprised & beat up in the parking lot. The next day at school one of the kids that had assaulted me told the principal the I had a gun at school & was going to shoot him & another kid, I did not & had no intentions of doing so. The police were there when I came into the office, they searched me, my car & kicked me out of school. I then transferred from Eldorado to Circle where some of the other kids attended & was hassled for the 4 months I attended there before quitting.

16-7

From this story you can tell a lot needs to be done  
still. For more info call at (16) 775-6027  
ask for James Chapman.

WICHITA CHAPTER OF P-FLAG  
PROJECT ACCEPTANCE

Dear Mr. Peters,

I wanted to write a short note to you about an issue that I feel you have totally ignored. I feel as though you are being unfair to the Gay and Lesbian students at our High School. None of the counselors, or you, are outwardly caring enough for us to discuss our problems.

Out of all of my classes, all of the literature you have issued to the students and all of the guest speakers you have invited to our school. None for them have ever whispered homosexuality. We are tormented by fellow students, who are slapped on their wrists when we complain.

I'm sorry, but you are smothering us with your one sided opinions and encouraged homophobia.

Sincerely,

Raymond

WICHITA CHAPTER OF P-FLAG  
PROJECT ACCEPTANCE

Dear Mr. Smith,

Hi, how are you? I don't know if you know about me being gay. How would you take it if you were gay and someone in your class was making fun of you? How would you feel? I feel pretty hurt when someone makes fun of me and people make fun of me in your class. I don't like it.

Signed,

Brandon

WICHITA CHAPTER OF P-FLAG  
PROJECT ACCEPTANCE

Dear Whomever:

There are some things that you should know about may experience about being a homosexual.

I constantly face the threat of physical harm from not only other people, but also the police.

I fear being honest and open with co-workers and peers because I know that they will think and feel differently about me.

I am denied my constitutional rights and must endure laws which infringe upon my rights.

I am considered a pervert , a child molester, and an abomination by may so-called religious people.

I must hide, lie, and meet in secret with other homosexuals for fear for persecution, abuse, and isolation.

I am the scapegoat for America's problems and shortcomings.

I am damned to hell and deemed "unnatural" simply because the sex I have is not reproductive.

I am hated and feared because people don't know me and don't want to know me.

It is very difficult for me to meet with other homosexuals my age because I am not of the legal drinking age and bars seem to be the anchor of my community

Thank you for listening.

Kristen



Dear Mr. Psychology Teacher,

I am sick and tired of you and your sexual actions referring to me as gay. (such as the remarks and the limp wrists you direct in my direction.) Just because I am gay gives you no right to make fun of me in front of the entire class. Please stop the stupidity or I will be forced to call and report you. (although, I am not sure who I would call.)

Jonathan

Mrs. Beamer,

You're about the only person at school with whom I can presently share this. Why? I found you to be caring and very concerned about youth. I want you to know that I am gay. I did NOT choose to be gay, I AM gay. I have talked briefly on the subject with you before, so I know your basic stance on the issue. But, I need you. You are not blind, you see what this school is like. You must know something of what I'm going through. There's so much hate here. I wish I could be myself openly, but that's obviously not possible. There are only four teachers I could ever CONCEIVE of telling this. Why do I want to tell? Because I desperately need some support from you and the rest of my school. Give me a chance. I'm not a bad person.

Your Student,

Clayton

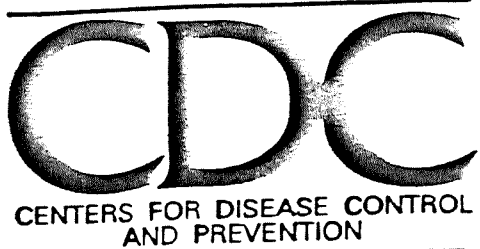
To Whom it may concern:

I am a male student at Campus High School. I am writing today to address an incident that occurred in my life and has bothered me ever since. On December 21, 94, I was called into my school gymnasium to give blood, for the Red Cross. The nurse that was taking blood, Vaneta G. Schroeder, to say the least ,wasn't very nice. She began to ask me questions such as " Since 1977 have you had sex with another man?" My response to that questions was "yes". She then asked this very same question two more times as if I didn't understand what she was asking. My final replay was "yes, I'm gay." She then stated, " Red Cross can't take your blood". I then asked "Well isn't that discrimination?" Then she proceeded to tell me ,"Call it what you want." " I don't care what your lifestyle is Red Cross still can't take your blood." As if my blood wasn't good enough. I felt as if she was being very rude and judgmental. She then had me fill out a form that will notify blood banks all over the country not to take my blood because I prefer being with a man. That doesn't mean that I'm sexually active nor does it mean that I have any diseases. The woman made me feel discriminated against and not to mention insulted. After all , she doesn't know me; how can she judge me? Once I really thought about what happened I realized that I probably wouldn't have paid much mind to the situation hadn't it been for the woman's attitude. I do feel that blood donors should be screened. However , those

that aren't allowed to donate shouldn't be treated as if they all have diseases.

What the Red Cross workers don't realize is that there were other homosexuals that were giving blood that day. I, unlike the other people, answered the questionnaire honestly and for that I was given a rude hostile attitude.

Anonymous



# HIV/AIDS PREVENTION

## *Facts about*

# Condoms and Their Use in Preventing HIV Infection and Other STDs

With more than 1 million Americans infected with HIV, most of them through sexual transmission, and an estimated 12 million other sexually transmitted diseases occurring each year in the United States, effective strategies for preventing these diseases are critical.

The proper and consistent use of latex condoms when engaging in sexual intercourse—vaginal, anal, or oral—can greatly reduce a person's risk of acquiring or transmitting STDs, including HIV infection. In fact, *recent studies provide compelling evidence that latex condoms are highly effective in protecting against HIV infection when used properly for every act of intercourse.*

The protection that proper use of latex condoms provides against HIV transmission is most evident from studies of couples in which one member is infected with HIV and the other is not, i.e., "discordant couples." In a study of discordant couples in Europe, among 123 couples who reported *consistent* condom use, *none* of the uninfected partners became infected. In contrast, among the 122 couples who used condoms *inconsistently*, 12 of the uninfected partners became infected.

*Latex condoms are highly effective when used consistently and correctly—new studies provide additional evidence that condoms work*

As these studies indicate, condoms must be used *consistently and correctly* to provide maximum protection. *Consistent use* means using a condom from start to finish with each act of intercourse. *Correct condom use* should include the following steps:

- Use a new condom for each act of intercourse.
- Put on the condom as soon as erection occurs and before any sexual contact (vaginal, anal, or oral).
- Hold the tip of the condom and unroll it onto the erect penis, leaving space at the tip of the condom, yet ensuring that no air is trapped in the condom's tip.
- Adequate lubrication is important, but use only water-based lubricants, such as glycerine or lubricating jellies (which can be purchased at any pharmacy). Oil-based lubricants, such as petroleum jelly, cold cream, hand lotion, or baby oil, can weaken the condom.
- Withdraw from the partner immediately after ejaculation, holding the condom firmly to keep it from slipping off.

## *Myths About Condoms*

There continues to be misinformation and misunderstanding about condom effectiveness. The Centers for Disease Control and Prevention (CDC) provides the following updated information to address some common myths about condoms. This information is based on findings from recent epidemiologic, laboratory, and clinical studies.

▶ *Myth #1: Condoms don't work*

Some persons have expressed concern about studies that report failure rates among couples using condoms for pregnancy prevention. Analysis of these studies indicates that the large range of efficacy rates is related to incorrect or inconsistent use. The fact is: latex condoms are highly effective for pregnancy prevention, but only when they are used properly. Research indicates that only 30 to 60 percent of men who claim to use condoms for contraception actually use them for every act of intercourse. Further, even people who use condoms every time may not use them correctly. Incorrect use contributes to the possibility that the condom could leak from the base or break.

▶ *Myth #2: HIV can pass through condoms*

A commonly held misperception is that latex condoms contain "holes" that allow passage of HIV. Although this may be true for natural membrane condoms, laboratory studies show that intact latex condoms provide a continuous barrier to microorganisms, including HIV, as well as sperm.

▶ *Myth #3: Condoms frequently break*

Another area of concern expressed by some is about the quality of latex condoms. Condoms are classified as medical devices and are regulated by the FDA. Every latex condom manufactured in the United States is tested for defects before it is packaged. During the manufacturing process, condoms are double-dipped in latex and undergo stringent quality control procedures. Several studies clearly show that condom breakage rates in this country are less than 2 percent. Most of the breakage is due to incorrect usage rather than poor condom quality. Using oil-based lubricants can weaken latex, causing the condom to break. In addition, condoms can be weakened by exposure to heat or sunlight or by age, or they can be torn by teeth or fingernails.

# Preventing HIV Infection and Other STDs

## Recommended Prevention Strategies

Abstaining from sexual activity is the most effective HIV prevention strategy. However, for individuals who choose to be sexually active, the following are highly effective:

- Engaging in sexual activities that do not involve vaginal, anal, or oral intercourse
- Having intercourse only with one uninfected partner
- Using latex condoms correctly from start to finish with each act of intercourse

## Other HIV Prevention Strategies

### ► Condoms for Women

The FDA recently approved a female condom, which will soon be available in the United States. A limited study of this condom as a contraceptive indicates a failure rate of about 26 percent in 1 year. Although laboratory studies indicate that the device serves as a mechanical barrier to viruses, further clinical research is necessary to determine its effectiveness in preventing transmission of HIV.

### ► Spermicides

The role of spermicides in preventing HIV infection is uncertain. Condoms lubricated with spermicides are not likely to be more effective than condoms used with other water-based lubricants. Spermicides added to the tip of the condom are also not likely to add protection against HIV.

## Making Responsible Choices

In summary, sexually transmitted diseases, including HIV infection, are preventable, and individuals have several responsible prevention strategies to choose from. But the effectiveness of each one depends largely on the individual. Those who practice abstinence as a prevention strategy will find it effective only if they always abstain. Similarly, those who choose any of the other recommended prevention strategies, including condoms, will find them highly effective if used correctly and consistently.

### For further information, contact:

**CDC National AIDS Hotline: 1-800-342-AIDS**  
**Spanish: 1-800-344-7432**  
**Deaf: 1-800-243-7889**

**CDC National AIDS Clearinghouse**  
**P.O. Box 6003**  
**Rockville, MD 20849-6003**

# ***Kansas State Board of Education***

120 S.E. 10th Avenue, Topeka, Kansas 66612-1182

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February 22, 1995

TO: House Education Committee

FROM: Kansas State Board of Education

SUBJECT: State Board of Education Rules and Regulations  
on Human Sexuality/AIDS Education

The State Board of Education adopted rules and regulations on human sexuality/aids education in November, 1987. After receiving considerable input via public hearings, the rules and regulations on the reverse side were adopted.

(over)

Dale M. Dennis  
Deputy/Assistant Commissioner  
Division of Fiscal Services and Quality Control  
(913) 296-3871  
Fax No. (913) 296-7933

*House Education  
Attachment 18  
2-22-95*



STATE BOARD OF EDUCATION  
RULES AND REGULATIONS  
HUMAN SEXUALITY/AIDS EDUCATION

- (1) Each board of education shall provide a comprehensive education program in human sexuality, including information about sexually transmitted diseases, especially acquired immune deficiency syndrome (AIDS).
- (2) The program shall:
  - (A) Include instruction at the elementary and secondary levels;
  - (B) require that teachers and building administrators have appropriate academic preparation or inservice training designed to develop a basic knowledge of and a sensitivity to the area of human sexuality;
  - (C) require that all teachers who teach courses in human sexuality hold appropriate certification to provide such instruction; except that until September 1, 1992, teachers assigned to teach human sexuality education shall hold any valid certification appropriate for the level; and
  - (D) include procedures whereby any pupil, whose parent or guardian so requests, shall be excused from any or all portions of the program without any penalty resulting from such action.
- (3) Each board of education shall determine the specific curriculum of the program and the grades in which the program is to be offered. The curriculum shall be specified in writing and shall be on file in the board of education office.
- (4) The provisions of this subsection shall not be construed as requiring, endorsing or encouraging the establishment of school-based health clinics or the teaching of birth control methods.

The State of Kansas  
Topeka, Kansas

February 1995

Dear State Legislator,

I am writing this testimonial at the request of PFLAG, and in response to a legislative proposal on sex education, a part of which would promote intolerance and non-acceptance of gay teens and other teens of diversity. While I no longer live in the state, I grew up there and still consider it and its influences a part of my upbringing and my life, therefore I am writing this letter with an interest in helping my gay family in Kansas. I ask you to please consider the effects the bill would have on gay teens growing up in Kansas and going through the public school system.

I was one who knew at a very young age that I was different from my classmates. I wouldn't say that I identified myself as being homosexual per se, but even as early as third grade fellow students labeled me as gay, taunting me and calling me names that I didn't even understand myself. This was to continue all through my school years; people would call me names and therefore I suffered from very low self esteem.

Many adolescents have supportive parents or a church environment to help them, while I had these influences in my life they were far from supportive. I was raised in a very religious family, my parents being members of a very fundamental sect which taught that homosexuality was abhorrent. These images filled my head day and night, and I would visualize myself in torment, suffering biblical punishments administered by an angry and unforgiving god. Thus having no support from either my family or my church, school and friends became very important to me.

Of all my high school years I will forever remember one distinct moment. To some who were there that day, teachers and fellow students, I'm sure it has blended into a collective series of days, but for me it will never be forgotten.

I have always been involved in the arts in some form or another. I have a degree in theatre from Wichita State University, have performed professionally in Wichita Theatres for many years, and am now pursuing a career in the San Francisco Bay Area. Theatre and Music were my solice and the one true place I could find some degree of acceptance. However one particular afternoon this was not the case. I was a senior at Northwest High School in Wichita and playing the character of Editor Webb in Thornton Wilder's *Our Town*. As scripted by the playwright the character of the Stage Manager comes to the front of the stage and asks the audience "Are there any questions for Editor Webb about *Our Town*?"

House Education  
Attachment 19  
2-22-95

Planted actors in the audience then respond with lines written in the script, questions like "Does Grovers Corner have a women's church group?" Or "Is there a church choir in Grovers Corner?" But this was an all school assembly, and several members of the football team were in the audience that day. They yelled up to the stage so all 600 plus people could hear, "Yeah? Are there any *faggots* in Grovers Corner!" And in the way that most teenagers will react, everyone jeered and laughed at his clever outburst. 2

While I consider this to be merely representative of many bad experiences, I do have to say that there were several positive moments as well. I will never forget three high school teachers who sensed the difficulties I was going through and came to my rescue. Not ever by telling me that being gay was okay, nor by telling me that it was wrong either, but by taking a special interest in me these teachers made a tremendous difference in my life.

I can also remember another performing experience. I was among others performing in a benefit concert to help raise money to restore our high school pipe Organ. The curtain opened and it was just me, my accompanist, and a grand piano on the stage. The entire auditorium started its usual jeering and cat calling as the introduction to the song began. But as I started to sing, students began to settle down. Others began "shushing" those seated around them. And me? I began to realize what I was singing about and sang even louder and stronger . . .

*Everything has its season, Everything has its time.  
Show me a reason and I'll soon show you a rhyme.  
Cats fit on the window sill, Children fit in the snow,  
why do I feel I don't fit in anywhere I go?*

*Rivers belong where they can ramble  
Eagles belong where they can fly,  
I've got to be where my spirit can run free,  
Got to find my Corner of the Sky!*

When I finished my song, no one was laughing, no one was taunting me, no one was making fun of me . . . they were just clapping and screaming and yelling and cheering.

Shaun-Michael Morse  
830 Sutter Street #8  
San Francisco, CA 94109

JOINT COMMITTEE ON CHILDREN  
AND FAMILIES

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Report  
to the  
1995 Kansas Legislature



Filed With the Legislative Coordinating Council  
December 31, 1994

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*House Education  
Attachment 20  
2-22-95*

## COMMITTEE ACTIVITY

The Joint Committee on Children and Families met with a number of persons who spoke to the issue of teen pregnancy prevention and who represented both varied approaches to prevention and varying ideas as to the societal and other factors that have led to the United States having the highest rate of births to women ages 15 to 19 and under, of industrialized nations. The Committee also received and reviewed a considerable amount of written material dealing with various facets of teen pregnancy.

### Teen Pregnancy

The Committee learned that, although early sexual activity and childbearing have been common during the history of the United States and that as late as the 1950s nearly one-half of all women married before age 20, beginning in the 1960s societal and behavioral changes began to emerge that have escalated in the decades since and resulted in a growth in the number of births that occur outside of marriage. The trend has been consistent in all childbearing age groups and racial groups in the United States. From information presented to the Committee it became clear the substantial growth in families headed by unmarried mothers, while in no way limited to teens who represented only 30 percent of out-of-wedlock births in 1991, has resulted in more family units that are not economically self-sufficient and in which the head of the family lacks the educational, vocational, and other skills necessary for self-sufficiency in today's world. In the case of teens, childbearing interrupts or ends the education or training adolescents require to become economically independent, and for about 17 percent of such teens nationwide, causes them to be dependent on public assistance over a short or long term.

According to one recent nationwide study, 83 percent of all teen births are to those who live below or just above the poverty level. For many, absent interventions that assist them to access education and training and to acquire other skills valued by society, their future and that of their children is indeed bleak. For some teen mothers who have exhibited poor academic skills or have dropped out of school, who have come from unsupportive or even abusive families, who have abused alcohol or other substances, or who lack parental or other adult role models, the risk of a dysfunctional family and loss of a child to the child welfare system and foster care is high.

### Community-Based Pregnancy Prevention Programs

The Joint Committee heard from representatives of the Department of Health and Environment, the Kansas Health Foundation, a community-based teen pregnancy prevention program that has received state grants and a Kansas Health Foundation grantee, and two members of the University of Kansas faculty who are involved with establishing methods of evaluating community-based programs for the Kansas Health Foundation. In addition, the Committee heard from two conferees who are involved with private, church-related teen pregnancy prevention programs, three teens who are members of a peer speakers panel that functions as a part of the pregnancy prevention program in Topeka and Shawnee County, and the director of a residential facility serving pregnant teens. All spoke about community-based and -operated teen pregnancy prevention projects. Another conferee spoke of the importance of networking to the success of community programs and to experience with assistance provided through Adolescent Pregnancy Child Watch, a national coalition put together by the Children's Defense Fund, the Junior League, and the National Council of Negro Women.

**State Grants.** A representative of the Department of Health and Environment reviewed the history of the state grant program operated pursuant to K.S.A. 65-1,156 and other Departmental activities relating to teen pregnancy. The latter range from research and gathering data from birth certificates to interventions relating to the particular risks connected with too early childbearing which is associated with a number of potentially negative health, social, economic, and other consequences for adolescents and their babies. The latter are built into various of the programs administered by local health departments through maternal and infant project funds allocated by the state agency. Teen pregnancy interventions are a special focus of all maternal and child health programs according to the conferee.

Since their inception the grants made pursuant to the statutory provisions enacted in 1991 have focused on pilot projects that replicate a South Carolina model that is based on the premise that a community will band together to combat teen pregnancy once it becomes aware of the problem and is involved in identifying possible solutions. The state assistance is targeted at those areas with the highest five-year average teen pregnancy rates that apply for grants and is premised on the assumption that state assistance is to be of short duration and the community will continue teen pregnancy prevention efforts after the state grants are no longer available. The state-assisted Kansas projects all incorporate advisory councils having, as a minimum, certain community interests represented on the advisory group, a broad-based school and community media campaign, teacher and community volunteer training, and a contract with an institution of higher education to provide assistance in evaluating the project outcomes. In the first year funds became available, grants were made to projects in Cowley and Shawnee counties. In the second year, funding was redirected to provide additional grants to local agencies in Sedgwick and Finney counties. Funding was also made available to residential programs located in Douglas and Sedgwick counties for repeat pregnancy reduction services. Salina became a grantee when funding for an earlier site was discontinued.

In the current grant cycle, staff from Social and Rehabilitation Services and the Kansas State Board of Education were added to Health and Environment staff to create an implementation team that developed the plan for allocation of the additional funding made available by the 1994 Legislature for teen pregnancy prevention. The team allocated \$256,358 for the case management services proposed to the Legislature in 1994. Working with the federal regional office that oversees Medicaid, it became possible to obtain Medicaid matching funds which increase the total funding available to local agencies by \$206,358. Five local agencies, of the 18 that applied, received grants. One grantee serves a four-county area. The remaining funds were allocated for expansion in the number of primary prevention, community-based projects. At the time of the Committee hearing, grant proposals for additional projects had not yet been processed, but it was anticipated two or three new projects that focus on peer counseling, male and female youth involvement, teen speakers bureaus, and other strategies aimed at reaching all youth in the community would receive grants. Grant funds were continued for projects in Shawnee, Cowley, Sedgwick, and Saline counties. Funding for teen pregnancy prevention projects in fiscal year 1995 totaled \$708,802, of which \$574,444 was State General Fund and \$206,358 Medicaid matching funds.

Representatives of the grantee agency in Topeka met with the Committee to discuss the project which is in its third year of grant funding, and two teen parents and an abstinent teen who are participants in the Topeka project's speakers bureau spoke to the Committee about their role in teen pregnancy prevention as well as their experiences, in the case of the parenting teens, with being a teen parent.

**Kansas Health Foundation Grants.** A representative of the Foundation met with the Joint Committee to review the Foundation grants to projects for the prevention of adolescent pregnancy located in Franklin and Geary counties and in Wichita. The grants represent three-year funding in amounts of up to \$150,000 per year. Funded projects generally are based on the South Carolina community model.

A representative of the Franklin County project which is a Foundation grantee reviewed the project which began a little less than a year prior to the meeting of the Joint Committee. The Franklin County project faces some unique problems that are not presented in the more urban areas which were outlined by the conferee.

Two members of a technical assistance and program evaluation team from the University of Kansas described the school-community initiatives to prevent adolescent pregnancy they are working on at the three Foundation grantee sites. They told the Committee of the difficulties inherent in attempting to use a reduction in the number of teen pregnancies as the primary outcome measure used to evaluate a three-year program, difficulties that arise from the length of a pregnancy, the time lag in data collection and compilation, the fact that data is county-specific rather than compiled on the basis of a project's service area, and the probability that community-wide change takes place at different rates in different communities and possibly at different rates in the same community depending on other community commitments. Other methods of program evaluation are being explored by the project team and several were discussed with the Committee as possible outcome measures the Legislature could recommend as tools for evaluation of state-assisted pilots.

### **Residential Services**

One of the conferees who met with the Joint Committee on Children and Families is the Director of a residential facility serving pregnant teens located in Kansas City that provides comprehensive services for young women between the ages of 11 and 18 during pregnancy and for up to six months following birth. Clients come from all types of backgrounds and are provided, in addition to pre- and postnatal care, nutrition, parenting, child development, and human sexuality classes as well as continuing their education during their stay at the facility through a Kansas City high school that serves special populations. The average age of the clients is 13, and the oldest who often are expecting a second or third child usually remain past their 16th birthday. Many of the clients have experienced sexual abuse, incest, alcohol and drug problems, and dysfunctional family backgrounds in addition to an unexpected pregnancy. The conferee pointed out that once the teen leaves the program she faces adult problems she is often unequipped and unable to cope with because there is no family, peer, or public support system available to her. She faces a lack of day care in the school system, difficulty in finding child care she can afford, lack of education or training, and lack of transportation to access available services. Once the teens leave the supportive atmosphere of the facility to reenter a community with limited resources, they are at the mercy of society. Further, many are children themselves. They act, think, relate, and behave like children. Thus, they need a continuum of services designed on a level they can relate to as well as adult support.

### **Private Prevention Programs**

Representatives of two Topeka church-affiliated teen pregnancy prevention projects met with the Committee to review their programs and to discuss problems teens face in remaining abstinent as well as the health, emotional, and social problems that arise as a result of sexual activity during the teen years and prior to marriage. Both stressed the need to teach abstinence and cited societal and media messages as influences on teen decision making as related by teens themselves. One conferee reviewed True Love Waits, a Southern Baptist program, and also referenced findings and results of programs known as Sex Respect; A. C. Green Youth Project; and Sex, Lies and the Truth from the Focus on the Family program. All are abstinence-based programs. The other conferee, who is a high school teacher employed by one of the Topeka parochial schools, spoke of a newly initiated program in which students sign contracts promising to abstain from drugs, alcohol, tobacco, and premarital sex. Although the program is relatively new, almost one-fourth of the eligible students have signed contracts.

## **Need for Recognizing Cultural Diversity in Service Delivery Programs**

A conferee from the University of Kansas School of Social Work Program staff discussed the need to recognize the needs of children and families whose cultural diversity has caused them to be under-represented in policy and decision making in social service programs. Although the conferee used teen pregnancy prevention programs as examples of the fact that all too often programs try to "fit the people to the program instead of fitting the program to the people," her advocacy extends to all programs that serve children and their families. It was suggested the traditional service delivery models that reflect a homogenous middle class, Caucasian standard as a measure of personal functioning are failing our social service delivery systems. Service delivery should view each child and family within a framework that encompasses the entire political, economic, cultural, and spiritual experiences that shape the identity and behavior of the families served. Ineffective programs may well be the result of failing to exercise culturally competent service delivery features. It was suggested that to achieve culturally aware and appropriate pregnancy prevention programs external review boards that represent various cultural and professional backgrounds should be established and that cultural competence should be made a major requirement in the licensing of social workers.

## **CONCLUSIONS AND RECOMMENDATIONS**

The Committee heard a number of conferees on the issue of teen pregnancy prevention, including those that are receiving state grant funds and those funded through grants made available by the Kansas Health Foundation. The conclusions and recommendations of the Committee noted below are intended in most instances to apply to those teen pregnancy prevention projects that receive state grants.

The Committee was struck by the extent to which teen pregnancy still appears to be viewed by the public and young males as a woman's problem as related by conferees who work with teen pregnancy prevention programs. Several of the programs reviewed have special components directed to young males in general or to the males who are the fathers of the babies of teen mothers being served by the program. The Committee concluded there is a need for more involvement of males in teen pregnancy prevention, including components on prevention, the quality of life of a one-parent child, the need for financial and emotional support for children, early childhood education, and life styles.

- ◆ The Committee recommends priority in the allocation of state grant funds be given to those projects that involve males in all program components except prenatal care. Consideration could be given to grants for middle and secondary school education for males, particularly those in which education on the responsibilities of fathering a child is offered by a role model, such as a coach.

The Committee believes pregnancy prevention programs should be tailored to the specific communities they are to serve and to ethnic and cultural differences in such community. The members concluded programs that are developed only on the basis of serving the predominant cultural and racial groups in the community are likely to be ineffective in getting the support of the entire community and in serving the needs of the entire community.



- ◆ The members of the Joint Committee on Children and Families recommend potential grantees be required to identify cultural, economic, and ethnic differences in the community the project is intended to serve and to demonstrate those differences will be addressed through appropriately designed programs.

Conferees discussed the difficulty in assessing outcomes for teen pregnancy prevention programs over a brief time span, noting results are not measurable for the first year of the program and data may not be available to assess results for one to two years after the program has been initiated. The initial pilot state grants were seen as three-year funding cycles, but the 1994 expansion of state funding was not so programmed. The Committee concluded an assurance that grant funds will be available over a sufficient period for a teen pregnancy prevention program to function effectively and to make a change in the community is necessary if the Legislature is to be able to evaluate programs and their efficacy.

- ◆ The Committee recommends no programs receiving state moneys be funded for under three years. Annual progress reports should be required and, if the program is not experiencing viable outcomes, there should be an evaluation of the continuation of funding or a requirement that alterations be made in the program.

The Committee has concluded successful teen pregnancy prevention efforts must involve the total community. Program design and operation should reflect input from the community as a whole because the program must result in community-wide change in order to be effective. It is of particular importance that schools be involved in the project in order for it to be a success.

- ◆ The Committee does not accept the recommendation of a conferee that schools be required to be co-applicants for grants. The members recommend that evidence of comprehensive community involvement be required, including involvement in decisions as to the program emphasis.

The Joint Committee concluded teen pregnancy programs that receive state grants should not be restricted as to program components which the Committee believes the community should develop.

- ◆ The Committee recommends communities consider the guidelines set out in K.S.A. 65-1,158 in designing community-based teen pregnancy prevention programs.

One of the most troubling issues brought to the attention of the Committee was that of state laws originally aimed at protecting minors that create a conflict with other societal values in today's world. The conflict appears both in our laws and in society, in that society desires that males come forward to claim paternity, pay child support, and be involved in the lives of their children. Yet the laws relating to statutory rape act as a powerful deterrent to acknowledging paternity or in the identification of the father by a teen mother, particularly a young teen, because either action may subject the male to the criminal justice system. The Committee concluded minors are different now than they were when the laws concerning statutory rape were conceived. Regardless of whether statutory rape occurs or whether the father of a young woman's child is unidentified, young women and their children are victims.

- ◆ The Committee recommends the issue of statutory rape and the deterrent such laws create to identification of the father of a teen's child or the involvement of the father in the life of the mother and child receive further study.

with the advice of the Kansas commission for the deaf and hearing impaired.

History: L. 1990, ch. 213, § 4; July 1.

**65-1,153. Duties of secretary of health and environment.** (a) The secretary shall establish the newborn infant hearing-impairment risk criteria and questionnaire required by subsection (a) of K.S.A. 65-1,150 and amendments thereto within 120 days after the effective date of this act. The secretary shall adopt rules and regulations to establish the risk screening program required under K.S.A. 65-1,150 and amendments thereto no later than November 30, 1990. The secretary, prior to January 1, 1991, shall prepare and distribute to all medical care facilities that are required to provide infant risk screenings under K.S.A. 65-1,150 and amendments thereto, the information required by K.S.A. 65-1,152 and amendments thereto. The medical care facilities shall provide this information to parents of newborn infants discharged on and after January 1, 1991.

(b) In administering the provisions of the program established under this act, the secretary shall:

(1) Develop a system to gather and maintain data, including a statewide registry to include, but not be limited to, the identification of high-risk infants;

(2) develop methods to contact parents or guardians of high-risk infants and to refer the parents or guardians to appropriate services;

(3) enter into contracts which may be necessary to administer the program;

(4) adopt rules and regulations as necessary to implement the program; and

(5) take such other action as may be necessary in the administration of the program.

History: L. 1990, ch. 213, § 5; July 1.

**65-1,154. Immunity from liability for reporting or failing to report; participation in judicial proceedings.** Any person or entity who reports in good faith and without malice, or who in good faith and without malice fails to report, the information required to be reported under this act shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed in an action resulting from such report. Any such person or entity shall have the same immunity with respect to participation in any judicial proceeding resulting from such report.

History: L. 1990, ch. 213, § 6; July 1.

**65-1,155. Information confidential; exceptions; removal of records.** (a) Information

obtained by the secretary under this act is confidential and shall not be disclosed except as provided in this section.

(b) The secretary may disclose information obtained under this act: (1) Upon consent, in writing, of the person who is the subject of the information, or if such person is under 18 years of age, by such person's parent or guardian; or (2) upon the request of an organization or individual conducting a scholarly investigation for legitimate research or data collection purposes, so long as such information is disclosed in a manner which will not reveal the identity of the persons who are the subject of the information or the identity of the officer or employee of the medical care facility reporting such information.

(c) The secretary may disclose information obtained under this act to officers and employees of the department of education who are designated by the state board of education to receive such information. Officers and employees of the department of education who receive such information shall be subject to the same degree of confidentiality as the secretary with respect to such information.

(d) The secretary shall remove the records of a child whose parents or guardian request in writing such action.

History: L. 1990, ch. 213, § 7; July 1.

**65-1,156. Penalty for disclosure of confidential information.** Any person, association, firm, corporation, organization or other agency willfully or knowingly permitting or encouraging the disclosure of information obtained under this act and not otherwise authorized to be disclosed under this act shall be guilty of a class C misdemeanor.

History: L. 1990, ch. 213, § 8; July 1.

**65-1,157. Act not to affect mode of treatment.** Nothing in this act shall be construed or operate to empower or authorize the secretary to restrict in any manner the right of a physician or other health care professional to recommend a mode of treatment for hearing impairment or to restrict in any manner an individual's right to select the mode of treatment of such individual's choice.

History: L. 1990, ch. 213, § 9; July 1.

#### COMMUNITY-BASED TEENAGE PREGNANCY REDUCTION PROGRAM

**65-1,158. Community-based teenage pregnancy reduction program; behavioral and educational objectives; grants, proposals and**

requirements, competitive awards and administration; duties of secretary; receipt of federal and other grants; rules and regulations. (a) The secretary of health and environment shall establish a comprehensive community-based teenage pregnancy reduction program with the goal of reducing the rate of pregnancies among minors in urban and rural communities through the development of locally controlled community-based educational interventions to accomplish certain behavioral and educational objectives. The behavioral objectives of the program shall include delaying the onset of sexual activity and promotion of the value of sexual abstinence among minor females and males. The educational objectives of the program shall include training as many community members as possible to be able to assist minor females and males, who are 10 through 17 years of age, in: (1) Recognizing the value and importance of postponing sexual intercourse; (2) developing knowledge and attitudes which promote comfort in choosing not to participate in sexual intercourse; (3) preventing pregnancy by other means when the program has been unable to assist minor females and males in postponing or suspending sexual intercourse, including a description of the risks and benefits of different methods of contraception; (4) recognizing the personal, parental, familial, religious, legal, social and health consequences of irresponsible sexual decisions; (5) developing assertiveness skills to resist undue sexual pressure from peers and society; (6) improving self-concept and sense of worth and developing responsible behavior based on their family values; and (7) fostering communication within the family as well as an appreciation of the supportive role families can play in the life of each individual.

(b) Subject to the provisions of appropriation acts, the secretary of health and environment may award grants on a competitive basis to local public and private community groups and agencies, including but not limited to, counties, cities and other local governments, schools, colleges, universities, youth groups, 4-H clubs, local public health departments and local charitable, civic, religious, educational and other not-for-profit organizations, to provide locally controlled community-based educational interventions to accomplish the objectives of the program in accordance with this section. Each grant shall be for a three-year period, subject to available appropriations and successful annual reviews. In the initial

year of the program, not more than three grant proposals shall be awarded, which shall be selected from among grant proposals from both urban and rural community locations.

(c) The secretary of health and environment shall adopt grant requirements in accordance with this section. Proposals for grants under this program shall include provisions for: (1) A community advisory group which shall include parents, school personnel, members of minority population groups, members of the clergy, religious laypersons, public health agency personnel, members of civic groups, public officials, members of health care provider professional groups, representatives of news media agencies and teenagers trained as peer educators; (2) a comprehensive media campaign which targets minors and their families; (3) a strong parent, daughter and son education program with emphasis on communication between parents, daughters and sons; (4) an outcome evaluation component provided from grant funds, which shall include a description and projection of the number of minors that the program will eventually serve and which shall include evaluation protocols prescribing criteria to measure intervention effectiveness, in terms of reductions in the pregnancy rates for the community, and a mechanism to measure the processes of the interventions; (5) a 30% matching requirement from the community which may be satisfied on a cash or in-kind basis from private or public sources, including resources received under the department of education and program for at risk pupil assistance; (6) a three-year commitment to the program; (7) letters of commitment to continue the program after grant funding ends; and (8) the methods proposed for (A) integrating community values, morals and standards into the education message, (B) recruiting, selecting and training the educator participants, (C) recruiting, selecting and training the community member participants, and (D) recruiting, selecting and training peer educators, if applicable to the proposal. Each grant proposal shall illustrate the community need for this program and shall include the annual pregnancy rate for the community for each of the previous five years, including but not limited to the rate for females who are 10 through 17 years of age.

(d) The secretary of health and environment shall administer the community-based teenage pregnancy reduction program established under this section and shall advise and

consult with the children and youth advisory committee established by K.S.A. 38-1401 and amendments thereto in establishing and administering the program, including the process of awarding and evaluating grants. The secretary of health and environment is hereby authorized to apply for and receive grants from federal agencies or from any other public or private sources for the purposes of the community-based teenage pregnancy reduction program established under this section.

(e) The secretary of health and environment may adopt rules and regulations for the administration of the program established under this section.

History: L. 1991, ch. 109, § 1; July 1.

**COMPREHENSIVE HEALTH PLAN  
FOR PREGNANT WOMEN AND CHILDREN**

**65-1,159.** Development and submission of proposal; components. (a) On or before January 1, 1993, the secretary of health and environment, in cooperation with the secretary of social and rehabilitation services, the commissioner of education and the commissioner of insurance, shall develop and submit to the governor, the joint committee on health care decisions for the 1990's and the Kansas commission on the future of health care, inc., a proposal for consolidating all existing health programs required by law for pregnant women and children into one comprehensive plan to be implemented by one or several agencies through interagency contracts, contracts with private agencies or by providing direct services. Such proposal shall:

- (1) Include a time schedule for phasing in implementation of the comprehensive plan;
- (2) provide cost estimates for the plan;
- (3) identify federal waivers necessary to implement the plan;
- (4) identify sources of funding for the plan; and
- (5) examine innovative programs.

(b) The comprehensive plan developed pursuant to subsection (a) shall, at a minimum, provide for the following statewide:

- (1) Comprehensive prenatal services for all pregnant women who qualify for existing programs through the department of social and rehabilitation services or the department of health and environment or other government-funded programs;
- (2) comprehensive medical care for all children under 18 years of age;

(3) preventative and restorative dental care for all children under 18 years of age of each family qualifying under the plan;

(4) periodic sight and hearing tests for all children under 18 years of age and such eyeglasses and hearing aids as such children are found to need;

(5) a case management system under which each family with a child under the plan is assigned a case manager and under which every reasonable effort is made to assure continuity of case management and access to other appropriate social services; and

(6) services regardless of, and fees for services based on, clients' ability to pay.

History: L. 1992, ch. 294, § 1; May 28.

**PRECONCEPTION AND PERINATAL PROGRAMS**

**65-1,160.** Public awareness program on effects of tobacco, alcohol, drugs. (a) The secretary of health and environment shall conduct an ongoing public awareness campaign directed to both men and women regarding the pre-conceptual and perinatal effects of the use of tobacco, the use of alcohol and the use of any controlled substance as defined in schedule I, II or III of the uniform controlled substances act for nonmedical purposes.

(b) This section shall take effect and be in force from and after January 1, 1993.

History: L. 1992, ch. 294, § 2; May 28.

**65-1,161.** Educational materials and guidance for health care providers; services available from local health departments; effects of tobacco, alcohol, drugs. (a) The secretary of health and environment shall provide educational materials and guidance to health care professionals who provide health services to pregnant women for the purpose of assuring accurate and appropriate patient education. Such materials and guidance shall address the services which are available to pregnant women from local health departments and the perinatal effects of the use of tobacco, the use of alcohol and the use of any controlled substance as defined in schedule I, II or III of the uniform controlled substances act for nonmedical purposes.

(b) This section shall take effect and be in force from and after January 1, 1993.

History: L. 1992, ch. 294, § 3; May 28.

**65-1,162.** Educational program for health care providers regarding drugs. (a) The secretary of health and environment, in collaboration with the secretary of social and

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CULTURAL RESOURCES  
MEMBER: FEDERAL AND STATE AFFAIRS  
JUDICIARY

REPRESENTATIVE DAVID ADKINS  
TWENTY-EIGHTH DISTRICT

**TESTIMONY IN OPPOSITION TO H.B. 2217  
BEFORE THE HOUSE  
COMMITTEE ON EDUCATION  
FEBRUARY 22, 1995**

Madam Chairman and Committee Members:

I appreciate the opportunity to appear before you today in opposition to HB 2217.

I have attached to this testimony additional information which I hope will assist the committee as you deliberate this bill. This information reinforces my argument that school vouchers are not popular with the citizenry, are not universally embraced by private schools, and represent a threat to our state treasury and the funding base for public schools.

I have never understood how one can conclude that a publicly financed subsidy to parents who have unilaterally determined that their children should attend a private school makes sense.

In my view, such subsidies represent a raid on the state treasury - a new entitlement program which is not needed. School vouchers are, in my opinion, a "rip off"... for parents, taxpayers and the general citizenry.

Thank you for allowing me the opportunity to share my views with you. I urge you to report the bill unfavorable for passage.

Attachment

*House Education  
Attachment 21  
2-22-95*

Representative Adkins  
February 22, 1995  
Testimony Before House Education

My prospect of speaking does have the effect of clearing a room. But with the prospect that we won't be here to celebrate Juanita's 75th birthday I will trudge on and say it is my pleasure today to appear in opposition to HB 2217. I feel that I need to preface my remarks by indicating what my appearance here is not about. First and foremost my appearance here should not be seen as an indictment of Representative O'Connor efforts in advocating on behalf of this issue. I respect her abilities very much on this issue represent the time and energies she has made in not only advocating the issue, but in educating the public on the issue. I believe and respect her for bring this issue to a public debate. With that said, I will tell you that I couldn't disagree with her more and find that on this particular issue she is the raging liberal and I am the diehard conservative. There will be very few times where you can characterize the two of us in that light. But I stand here with Pat Buchanan as my ally in opposing this kind of a voucher school/school choice program.

For me again I will be brief. I have attached to my testimony certain sources of information that I would hope you would review as you deliberate on this in the short time that you have. First is a comment from some of the Catholic services that essentially say they don't want to get into the situation of taking government money. Also an article from the New York Times from 1992 in which the effectiveness of some school choice programs are questioned. I will point out that these school choice programs are not necessarily similar to that set forth in this bill. In some instances, school choice programs in those states that have them

Representative Adkins

Page Two - February 22, 1995

essentially say you can attend any public school you wish to.

There is also some information that compares private and public schools. I think there is a sense that private schools are doing it better. That their performance rates are doing it better. The evidence doesn't tend to show that is true. Sometimes in the elementary school levels, yes, but by the time high school comes around, there seems to be a parity. Also, I have enclosed an article from New Republic, again stating that there is at least a very defensible conservative position against choice, essentially saying that the interference in private schools by the infusion of this kind of public money ruins what makes them private. Finally, an article from October, 1994, "Money Magazine", that also tries to debunk other myths about private schools and their success rate given the costs to parents. My objection to the school voucher programs speak just generally and not direct my attention specifically to this particular piece of legislation because I believe this particular piece of legislation has been pared down to make it a little more politically palatable with the hopes it can be expanded in future years to a greater population and used to a greater degree. I do believe it creates a new entitlement program, an expansion of government that I do not believe is appropriate at this time. I believe it uses public funds for private purposes, something I am opposed to. I believe it ultimately forces regulation on private businesses and I do not believe that is appropriate. I believe it will ultimately force regulation on private businesses, and I don't believe that is appropriate. I believe it



will lend itself to increasing state spending; something I am opposed to. I believe it ultimately it violates the Constitutional rights and freedoms of not only all of us as citizens, but those who seek to educate their students in private schools free from government interference. And I believe that it sends very precious state resources into the hands of private schools that will not have adequate accountability unless significant regulation is placed on them. Just speaking out loud briefly, the concept of voucher programs, I have yet to resolve in my mind and to understand why a subsidy for private education makes sense. Parents who send their children to private schools have often stated that they face double taxation. They must pay to keep up the public schools and also at the same time pay private school tuition on top of it. It strikes me this concept of this double taxation is a myth. Parochial school tuition is not a tax. It is an additional expense some parents have voluntarily determined they will pay. All Americans are expected to support basic services such as fire, police departments, libraries and public transportation services whether they use them or not. Many of the residents of my district may enjoy a country club, but we don't give them a voucher back if they do not access the public swimming pool or parks. If someone selects not to obtain a driver's license or use public highways, again they will receive some subsidy back for their failure too access the services. If someone chooses to buy books to read at home rather than accessing the public library, we don't give them a subsidy for not drawing on those services. We made a decision as a State that a public school inferstructure makes sense and that all should support it equally. The senior citizen that has never had children is also asked to continue to pay those taxes, and is not entitled to some sort of rebate. In my mind double taxation would in fact result

under a voucher system. The taxpayers would have to support a public school system free and open to all, and at the same time support a system of private schools that would be allowed to discriminate in their admission policies. I also want to say as politicians we should be at least somewhat susceptible to the public will on this issue. I would point out that in those states where referendums of these kinds of issues have been held, they have not been particularly popular. In 1990 the issue of vouchers was submitted to referendum in Oregon where it was defeated by a margin of two and a half to one. In 1992 it was on the ballot in Colorado; it was defeated by a margin of 2 to 1. In 1993, it was presented to voters in California in the form of a proposed amendment, the State Constitution which would authorize payment of \$2600 of tax money per student to spend on tuition for non public schools or religious schools, voters rejected the amendment 70% to 30%. Although the courts have not tested this particular clause with regards to whether it violates the Constitutional separation of Church and State, I think in many instances we see that line is very clearly one that is fuzzed by this particular proposal. While I don't wish to get into the free exercise of religion and also the establishments arguments, it is clear there are constitutional implications when State money is going directly to support parochial education. Keep in mind that about 85% of all students in private schools are in a parochial or related school. The great bulk of this money essentially is going to subsidize those particular schools. So with that said, I am here not today as a legislator so much, as one who received a quality public education in Kansas schools. If schools are a problem, I say that we have the political courage to direct the resources, ingenuity, creativity to fix them. This particular measure is like fixing a wheel by

taking two spokes out of it. It doesn't fix the wheel. It simply diverts resources away from solving where problems may be perceived in public education. Finally, in an effort to rap this up, I will say that I resent the title on this legislation -- the G.I. Bill of Rights for Kids. As many of you may know, the G.I. Bill was offered by a Kansan. The VA Center here is named after him. At that time he was National Commander of the American Legion, it certainly helped veterans after World War establish themselves. In this particular instance I can imagine many tax payers will be saying, Gee, I got a bigger tax bill, but in essence, what we are really interested in doing is focusing on a G.I. Bill for kids, I would have some suggestions. My G.I. bill for Kids would assure that all eligible children could participate in Head Start; currently only 42% of those eligible can participate because there are no more slots. We could increase the state share of special education services. 90% of the excess costs with the current levels there are some children with special needs that are not having those met. We can assure education through alternative education problems. See that those are in place. We can give graduates of Kansas high schools a guarantee on their diploma. If the employer finds the graduate does not have the basic skills on the job, the graduate can get additional education in the state of Kansas until the skills are learned. Those are the kinds of concepts to be in a G.I. Bill for Kids and not the concepts contained in this legislation. I would urge you to kill this bill in committee. If you do choose to send it to the floor, I would hope that you would strip off the title G.I. Bill for Kids because this isn't a G.I. Bill for Kids, it is an entitlement and a subsidy for those people who have chosen to send their children to a private school. Keep in mind that as an economic matter you are creating a new constituency who will

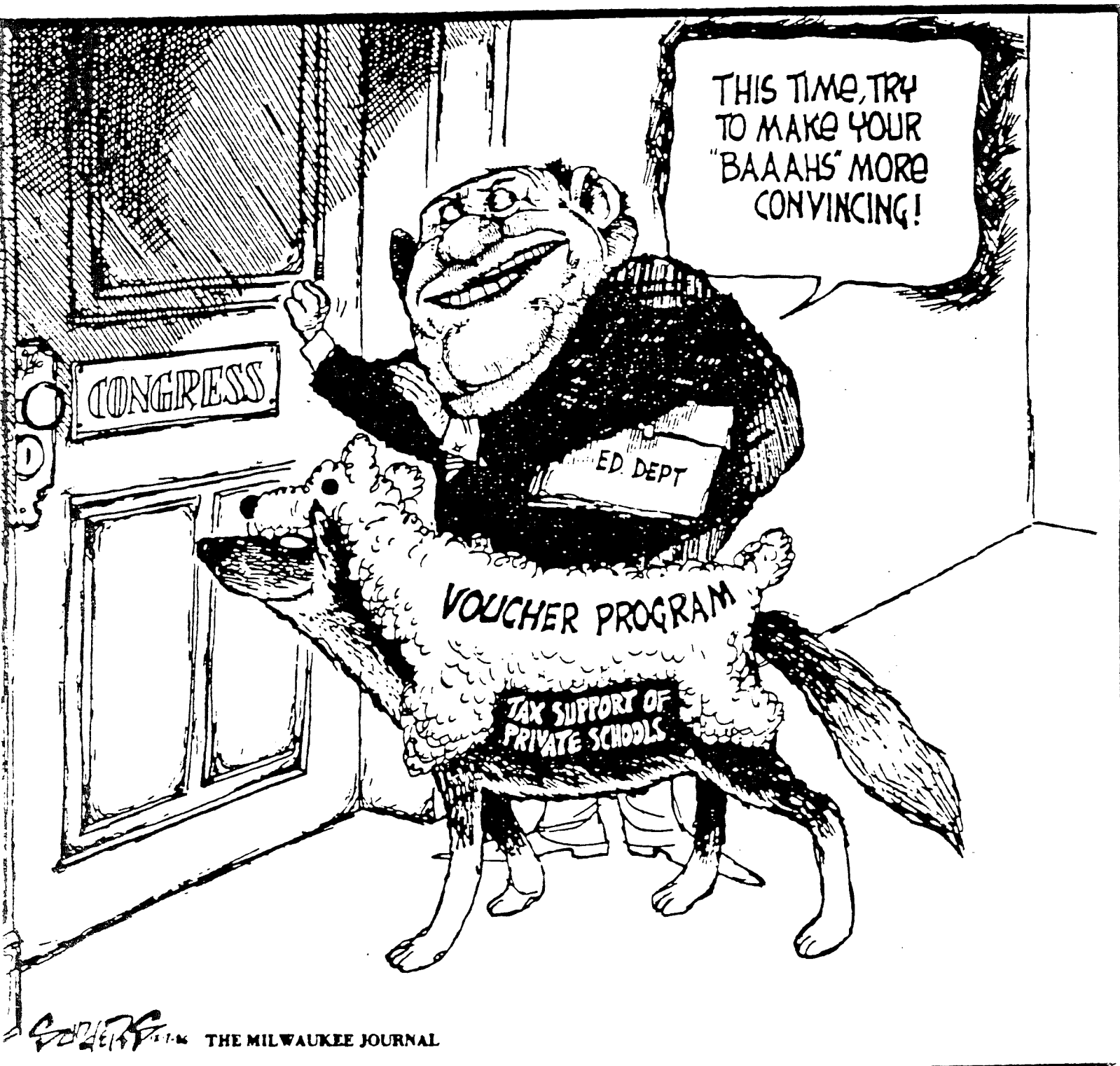
be interested in feeding at the trough of state government and as you start this program keep in mind what you putting in place is a process that will demand more and more dollars from you as the years go by. This may be a decision that seems not to have those kinds of consequences now, but I am confident that it is a decision that ultimately might create a new class of constituency that is dependent on a state subsidy, you are letting a beast out of a cage.

One other concern I have is that private school tuition at its current levels will not actually go down to compensate for this. How do we know these subsidizes will not be absorbed into the cost of education since many of the parents sending their children to private schools are certainly willing to pay those costs. I have enough questions about the proposal that I believe it is inherently flawed and unfortunately times does not allow the whole dissertation on those matters. But I felt it important enough that due to the limited time on the floor in the coming days to express my displeasure with this particular proposal and urge its defeat here in committee.

Mike Luckovich © 95  
NEW ORLEANS TAPSE

I'M A DOCTOR. I'M  
HERE TO HELP...





THIS TIME, TRY  
TO MAKE YOUR  
"BAAHS" MORE  
CONVINCING!

CONGRESS

ED. DEPT

VOUCHER PROGRAM

TAX SUPPORT OF  
PRIVATE SCHOOLS

G. G. G.

THE MILWAUKEE JOURNAL

# Establishment? No thanks!

BY ROYALE VADAKIN

**F**or some in the economic marketplace, theology remains an obscure discussion about counting the number of angels on the head of a pin. Likewise, for some professional religionists, economics is simply the realm of the "beanies" of this world. Is there a case to be made that they intersect and interact? I would think so.

To take the connection a step further: There's an ecumenical dimension. A dimension which enfleshes the true religious polity which ecumenism is always about. This dimension also reminds us that we learn as well as teach in the ecumenical dialogue.

I found the reality of such convergence in a relatively obscure news item contained in a London Catholic weekly recently. While its 167 words may not be headline material, it was both intriguing and significant. The item was entitled "No Methodist cathedrals."

The English government appropriated approximately \$11.5 million for repair and maintenance of English cathedrals. In a nation with many aging religious edifices this would attract little attention. The principal reason

which the Methodist conference offered in *declining* the offer was striking.

Simply put, the Methodist conference said, "To declare certain [of our] buildings cathedrals would be a new departure in our ecclesiology." Invoking ecclesiology to turn down a financial windfall seemed startling. On deeper reflection it seemed refreshing and, possibly, redemp-

## CHURCH

tive.

The Methodists of England have given a strong example of theological witness to the marketplace. I'm grateful for their courage and true wisdom.

Parochial education seems to be our "cathedral issue." As Catholics in the United States, we're certainly faced with a severe money crunch in our schools.

My sense is that the temptation of governmental financial assistance — tax credits, vouchers or some combination of both — is our "cathedral issue." Yet, our religious integrity is actually at stake. To accept

aid means a concession.

As a Catholic community we have forcefully stood on some very precise beliefs about life, work and practice. When assisted-death act advocates have raised the most emotionally compelling individual cases, we have strongly cautioned about the "slippery slope" fallacy. We have attempted to articulate moral/ethical stances very much by principle.

However, it seems that for the sake of a windfall of needed school dollars we are all too willing to make a few "cosmetic changes" in our identity — "cosmetic" being the popular terminology we give it. I think we need to listen to our Methodist brothers and sisters.

Basically the Methodist stance articulated a truth: Establishment is much more dangerous to religion than persecution. My hope is that we think long and hard about those "cosmetic changes" which can so easily entice religious bodies.

*Msgr. Royale M. Vadakin is pastor of St. Anastasius in Los Angeles and the outgoing ecumenical officer of the Los Angeles Archdiocese.*

## Research Questions Effectiveness Of Most School-Choice Programs

By SUSAN CHIRA

Allowing parents to choose their children's schools may be the hottest idea in American education, but a new flood of research argues that such "choice" programs alone will not help schools and, in some cases, can actually hurt them.

A report to be made public today by the Carnegie Foundation for the Advancement of Teaching, a leading educational research group, is the latest of several to argue that choice primarily benefits children of better-educated

parents, does not necessarily improve student performance, requires additional money and, without certain safeguards, may actually widen the gap between rich and poor school districts.

Choice programs in various forms have swept the country in the last few years. Many communities allow students to choose any school within a district. In 13 states — Alabama, Arizona, Arkansas, California, Colorado, Idaho, Iowa, Massachusetts, Minnesota, Nebraska, Oregon, Utah and Washington — students may cross district lines, taking their share of state and local money with them. A dozen other states are actively considering such measures.

### Milwaukee Voucher Plan

Only Milwaukee actually allows private schools to compete for students, paying public money for a small number of poor students to attend private schools. Thirteen states are debating a similar plan, and Colorado has a voucher proposal on the November ballot.

The new studies come after three years of intensive lobbying by supporters of the voucher plan, including President Bush, conservative research groups and the two scholars whose 1989 book helped ignite the current debate. These supporters maintain that only

*Continued on Page B8, Column 3*

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# New Research Questions Effectiveness of School Choice Programs

Continued From Page A1

competition from private or parochial schools will force complacent public school monopolies to improve.

The Carnegie report, which is based on a yearlong study, was criticized by advocates of choice programs on the ground that it underestimates the potential of such programs and had played down public support for the idea.

## 'Self-Satisfied Establishment'

Lamar Alexander, the Secretary of Education, said, "Only a very self-satisfied establishment could so easily dismiss so many parents' wishes."

The Carnegie report recommends that rather than relying on choice alone, educators concentrate on improving all public schools and combating the poor health conditions and violence that impede many children's performance in school. Fair choice programs would pay for students' transportation, give parents enough information about schools and compensate for wide gaps in spending between rich and poor school districts. School improvement teams could visit failing schools with the power to remove principals and invest more money so that failing schools could improve rather than shut down.

But critics of public schools like John E. Chubb and Terry M. Moe, who ignited the choice debate in their book, "Politics, Markets and America's Schools" (Brookings Institution, 1989), say public schools have resisted such changes precisely because they face no real consequences for failing to act.

When researchers contend that poor children with less well-educated parents would lose under choice programs, Mr. Chubb replies that these children would have a better chance with choice than they do now, stuck in the nation's worst schools.

But the Carnegie report and a number of other studies have found that in general, parents who take advantage of choice programs are better educated or more confident, raising the possibility that children of troubled families may lose in an educational free market and end up stuck in the worst schools.

Surveys of families in choice programs in Montclair, N.J., and Milwaukee, as well as research by Amy Stuart

Wells of the University of California at Los Angeles and a recent study of choice programs in Scotland, all found that better-educated parents usually participated in choice programs or used more sources of information to decide which school was best.

The Carnegie researchers, who surveyed more than 1,000 parents, visited choice programs across the country and compiled other studies, present the most adverse criticism of statewide choice programs.

In Massachusetts, with school spend-

## A Carnegie report calls for improving all public schools.

ing already battered by the recession, a choice program has caused fiscal havoc, the Carnegie report says. It cites the case of Brockton, a financially troubled city, and its suburban neighbor, Avon, which spends twice the amount of money per pupil as Brockton and could easily lure students away. During the first year of choice, the report says, 135 Brockton students transferred to Avon, taking with them nearly \$1 million in state aid.

Under Massachusetts law, Brockton also had to pay Avon the difference between the two districts' spending to match Avon's higher per-pupil spending. While Avon hired a new guidance counselor and paid for a new roof, Brockton had to lay off teachers and pack 40 students to a class.

Massachusetts has since amended its law to avoid such stark problems, but it still does not pay for transportation, which means that poor students may be unable to choose schools far away from their homes.

## Some Bright Spots Found

The Carnegie researchers pointed to some bright spots, like rural schools in Minnesota that attract students by creating innovative programs. But overall, the report said, no statewide program had demonstrated a clear link between choice and improving student achievement, partly because several

studies show that most parents chose schools not for academic reasons, but because they were close to home.

The researchers found that less than 2 percent of students actually took advantage of statewide programs and that none of the programs met what they said were essential preconditions: paying transportation, providing parents enough information or compensating for the gaps in spending between rich and poor school districts. "By these yardsticks, we conclude that responsible and effective statewide school choice does not exist in America today," the report said.

Choice programs within one school district have been the most successful in improving student achievement, the report concludes. Parents and students in all choice programs are happy with them, the report says, but it emphasizes that students' freedom to choose schools was just one factor in this success. The nation's three most celebrated examples of choice programs — those in New York City's East Harlem district, in Cambridge, Mass., and in Montclair — have higher scores and more motivated students.

But these districts also spent a great deal of money on innovative programs, attracted generous Federal grants, offered parents considerable guidance and information on how to choose schools and gave teachers power to create their own schools. The report also says that 1992 test results show that some of East Harlem's gains have eroded, partly because of budget cuts.

## Milwaukee Problems Cited

The Carnegie report also criticizes Milwaukee's two-year experiment with vouchers. The program has had some problems — a private school closed abruptly in the middle of its first year, stranding 63 children. There have been high and unexplained attrition rates. Test scores have not risen.

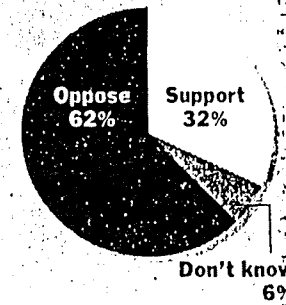
But most parents say they are delighted with the program, and its defenders note that it would be unusual to see changes in test scores after only two years.

The Carnegie report also found that most parents oppose vouchers by a 2-to-1 margin. But the Gallup Poll has indicated that there is substantial public support for vouchers. Much depends on how the questions are worded.

Other researchers are attacking Mr. Chubb's and Mr. Moe's argument that

## School Choice

A recent poll by the Carnegie Foundation for the Advancement of Teaching asked: "Some people think that parents should be given a voucher which they could use toward enrolling their child in a private school at public expense. Do you support or oppose that idea?"



The New York Times

schools and minimized the effect of teaching methods or course requirements on student achievement.

Mr. Moe did not return messages left at his office requesting comment on these studies, and Mr. Chubb's secretary said he was out of town.

Two researchers who have been sympathetic to choice programs, Valerie E. Lee of the University of Michigan and Anthony S. Bryk of the University of Chicago, said that Mr. Chubb and Mr. Moe made several technical decisions in the way they compiled their statistics that skewed their data, exaggerated the effect of autonomy on the best schools are those that have the least amount of bureaucratic oversight, and that competition will thus improve all schools.

SEE OVER)

81-12

MAR 30 1992

# Are Private Schools Really Better?

■ **Education:** More children are being enrolled in expensive institutions, but most do not score much better on standardized tests than pupils in public programs.

By JEAN MERL  
TIMES EDUCATION WRITER

It has been eight months since the Press-Telegram ran a story about a group of Long Beach parents' plans to open a top-flight private school in their city, but Patrick and Sonja Seaver still seem stunned by the reaction.

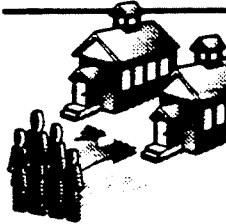
At 8 on the morning the story appeared, carrying the Seavers' home number, the telephone started ringing—and did not stop for two hours. They received eager offers to help create Westerly School, which will not open until the fall of 1993, and urgent pleas to be included on a waiting list that did not yet exist. And they heard caller after caller voice reservations about the neighborhood public school.

"They want the best for their kids," Sonja Seaver, an attorney and parent of

three children, said recently of the outpouring of support. "and they think they are more likely to get it in a private school setting."

But are private schools really better? The question goes to the heart of the debate over what ails American education. And, given the staggering range in quality among private schools and the sharp differences in what parents are looking for, it defies an easy answer.

The parents who clogged the Seavers'



PRIVATE DECISIONS  
*Parents Weigh Perplexing Educational Options*

■ First in a series

phone lines are far from alone in their belief that a private education is superior. Slightly more than 10%, or 4.8 million, of American's 47 million students in kindergarten through high school are enrolled in private or parochial schools.

A poll commissioned last year by the National Assn. of Independent Schools—which represents about 1,000 academically

elite, nonprofit college preparatory schools—found that more than half of American families would choose private schools if cost were not a factor. They gave private schools higher marks on academics, class size, individual attention, discipline, parental involvement—everything but sports programs.

Encouragement of the notion that private is better is coming from the highest levels.

President Bush, as part of his education reform proposals, wants parents to be able to spend public dollars for private school tuition. In California, a campaign is under way to place an initiative on the November ballot that would allow families to tap funds the state allots to public education and spend them at private schools.

Advocates of school-choice plans argue that letting parents choose where to spend education tax dollars will force public schools to improve—ostensibly, by acting more like private schools—or risk having to close their doors for lack of students. Critics contend that "privatizing" education would get the country nowhere in its quest to improve the schooling of all its youngsters.

"The dirty little secret in American  
**Please see PRIVATE, B3**

Continued from B1

education is that private schools do no better than public schools." American Federation of Teachers President Albert Shanker, whose group represents public school instructors, wrote after comparing recent math test scores showing little difference between the two sectors. "We have got to get that word out."

An extensive examination by The Times of private schools and interviews with experts, parents and school administrators shows that:

- A small proportion—probably no more than 5%—of the nation's 28,000 private schools clearly are better than the average public school. They are highly selective and sharply focused, and they spend up to three times as much per pupil, often to keep classes small. But the majority of private schools do not stand out academically.

- Parents choose private schools for a wide variety of reasons, and academics is often not the prime consideration. Parents may be looking for religious orientation, educational philosophy, stronger discipline, a solution for special needs or a haven from gangs and drugs. The range of options is stunning and often bewildering, from a traditional boarding prep school to an Afro-centric inner-city academy to a suburban, largely white for-profit chain whose tuition includes after-school child care.

- Research points to some advantages of Catholic schools, especially for children of the urban poor, and there is some evidence that adolescent girls benefit from attending single-sex schools.

- Private schools, even those run by large religious organizations, are free of cumbersome bureaucracies, and nearly all have narrow, clearly defined missions that attract parents with similar educational views and interests. Their ability to decide who can attend is in sharp contrast to the public schools' mandate to provide an appropriate education for everyone.

- There is little government regulation or oversight of private schools' academic programs, particularly in California, where the state Department of Education has no jurisdiction in such matters as admissions, textbooks, curriculum methods, teacher qualifications or student discipline. Many are not accredited by the Western Assn. of Schools and Colleges, an independent agency that provides voluntary oversight for its member schools, public and private.

"The elite schools do better in every way, which is not surprising if you have \$12,000," said Bruce S. Cooper, a Fordham University education professor who has studied private schools extensively. He referred to the tuitions and other annual costs associated with attending some of the nation's top institutions, whose academic orientation and tendency to take only above-average, college-bound students have earned them the nickname "prep schools."

"But there is a large segment of private schools that are not there for the academics at all; they are primarily religious in purpose," said Cooper. "There are such vastly different kinds of schools that to lump them together into broad categories is meaningless."

Nonetheless, the national debate over whether parents should be able to choose freely among schools has prompted a wave of private-public comparisons, especially of test scores.

The AFT's Shanker, in a monthslong series of broadsides at the President's call for vouchers, seized on math test scores released last year by the National Assessment of Educational Progress.

Shanker acknowledged that, on average, private school students did better than those in public schools. But the NAEP scores showed that differences were slight—they ranged six to 15 points on a 500-point scale—and the highest-achieving public school seniors actually did a little better than the private schools' top seniors.

A few years earlier, other NAEP data was cited by then-Assistant Secretary of Education Chester E. Finn Jr. as a basis for his view that private schools also had a way to go in improving student achievement. Unpublished 1986 test results showed private school scores only four points higher in reading and six points higher in history and literature.

Yet other test results lend weight to the popular perception that private schools get superior results. NAEP's 1990 writing assessment showed a private school advantage at all three grade levels tested: In fourth grade, the average proficiency for public school pupils was 182 on a scale ranging from 0 to 400, compared to 199 for private school students; in eighth grade, the scores were 195 versus 215 and in 11th they were 210 versus 227.

The publisher of the Stanford Achievement Test, Psychological Corp., said its 1988 data indicates that "non-public students have higher average performance" but concluded that the differences did not necessarily mean that private schools did a better job.

Scores on the better-known Scholastic Aptitude Test, widely used for college admissions, show that students who attended the small group of independent prep schools did perform significantly better than others. Independent school students in the class of 1991 earned an average (mean) score of 470 on the verbal part of the SAT and 524 on the math portion. (Each portion of the test has a possible 800 points.)

**'The dirty little secret in American education is that private schools do no better than public schools. We have got to get that word out.'**

ALBERT SHANKER  
American Federation of Teachers

But the vast majority of private schools—85%—are religiously affiliated and their scores are not much different from those earned by public school students. Public schools averaged 419 on the verbal and 473 on the math, while the religious schools averaged 437 and 472, respectively.

Shanker argues that results such as these show neither private or public schools doing an adequate job.

"Without a change of course, it does not matter much whether our students sit in a public or private school chair," Shanker said in testimony last summer before a House of Representatives subcommittee. "They are going under."

Test results may say more about students' socioeconomic backgrounds and their parents' commitment to education than they do about school quality.

If private schools have an edge, most experts say, it lies in their freedom to set their own course.

Too many public schools—run by districts with highly bureaucratic central administrations and burdened by over-regulating state education departments—are at a clear disadvantage, said Theodore R.Sizer, an education reformer who has worked in public and private school settings, including a stint as headmaster of the exclusive Phillips Academy in Andover, Mass. They are told how long the school day must be, what textbooks to use and which skills to emphasize.

Interestingly, Sizer added, too many private schools do not take advantage of their freedom, opting instead for conventional methods that closely resemble those used in public schools.

"The most successful private schools are very attentive to parents, and so are the most successful public schools. The message is that schools that pay attention to their clients and have the power to act on the basis of that tend to be happier schools," he said.

In California, the parents of almost 532,000 school-age youngsters—or 9.7%—chose private schools in 1990-91. But the proportion of youngsters in private schools varied among the six Southern California counties. Of the 1.6 million Los Angeles County

students, 12.8% were in private schools with at least six students, compared to 10.5% of Orange County's 419,440 students, 6.3% of Riverside County's 237,025 students, 6.5% of San Bernardino County's 312,113 students, 7.6% of San Diego County's 425,461 students, and 10.1% of Ventura County's 126,721 students.

"My children get small classes, individual attention, a strong moral and academic structure," said Ventura County parent Sharon Knapp, who sends her two youngest children to the Carden School of Camarillo, a 185-student, secular school patterned after the philosophy of 1940s educator Mae Carden.

"In too many public schools, the average child has been forgotten," said Knapp, whose opinion was echoed by dozens of other parents interviewed for this series.

Two San Diego school board members caused a stir a couple of years ago by sending their children to private schools—Community Preparatory School, emphasizing self-esteem for African-American students, and University High, a Catholic school—because they believed their children would be better served. Although the moves brought plenty of criticism, some parents defended the board members for doing what they felt was best for their children.

Critics of private schools have sometimes implied that parents who choose them are motivated by racism, a perception that was reinforced in the 1960s and '70s when mandatory busing for desegregation led to the opening of five private academies in the San Fernando Valley and Los Angeles' Westside. But that is not borne out by statistics or by those who are familiar with private schools. A federal study of school enrollments in the mid-1980s found that 18% of private schools had at least 50% minority enrollments, compared to 17.3% of public schools.

Bill Honig, California's superintendent of public instruction, who sent his children to a mix of public and private schools, said "the racism tag is a little harsh. . . . Most parents are going for a multicultural [student population] when

they can find it."

Honig said he has found that most parents who leave the state's public schools are fleeing from conditions that underfunded public schools are hard-pressed to alleviate: big classes, insufficient equipment and the needs of increasing numbers of disadvantaged children.

"Lots of our families are here regretfully—most of our parents went to public schools themselves," said Michael L. Grella, headmaster of The Palm Valley School, an independent school in Palm Springs with 215 students in kindergarten through 12th grade.

"But they are very concerned about [conditions in] the public schools, and the first thing they mention is class size," said Grella. "They know that even the most motivated, most dedicated, most talented teacher cannot adequately address the needs of all the children when there are 35 in a class."

Academic excellence is what draws most parents to John Thomas Dye in Bel-Air, one of Los Angeles' oldest, most prestigious and expensive (tuition is \$7,300 a year) elementary schools—and one of the hardest to get into. Wearing traditional blue-and-white uniforms, students make regular visits to the school's 7,500-volume library; receive instruction from specialists in art, music and computers, and are afforded classes in self-esteem and making friends in addition to regular academic subjects. The student-to-teacher ratio is 9 to 1—a far cry from the average 24 to 1 in California's public elementary schools. In the Los Angeles Unified School District, the average ratio is about 27 to 1 in kindergarten through third grades.

The curriculum is designed to teach students how academic subjects relate to one another, with special emphasis on problem-solving, effective written and spoken communications and good study skills. The school's students score at least as high on achievement tests as their counterparts at other top private, college-prep schools around the country.

But Headmaster Raymond R. Michaud Jr. attributes the stu-

dents' success to their families' commitment to hard work as much as to the academic extras the school can afford.

"We've got everybody buying into the system," Michaud said. "Our kids are doing two hours of homework every night instead of playing Nintendo."

At Coast Christian Schools, spread comfortably over two tidy campuses leased from the Redondo Beach City School District, Bibles are for sale in the school offices and students attend chapel weekly. Teachers are not required to hold California credentials, but they must be Christians.

"Our parents want a good, solid education in a drug-free, safe school which has a biblical orientation and traditional values," said Supt. Melvin Larson, who also

**'Our parents want a good, solid education in a drug-free, safe school which has a biblical orientation and traditional values. That's what we advertise.'**

MELVIN LARSON  
Coast Christian Schools

oversees a third campus in Harbor City. "That's what we advertise." Annual tuition is \$2,325 to \$3,100.

Although the Redondo Beach elementary campus is predominantly white, the secondary campus nearby attracts a sizable number of minority students from other public schools in the area, including those in Inglewood and Hawthorne. The result is a well-integrated campus—35% African-American, 30% white, 20% Latino and 15% Asian-American—that appears free of the racial tensions that have split some of the nearby public high schools.

Several miles away, on a gritty stretch of West Slauson Avenue, black parents who want their youngsters to grow up being proud of their African-American heritage have found their answer in the Marcus Garvey School. The academically rigorous day begins for about 400 youngsters, ages 2 to 14, with a series of black pride anthems and poems.

The school cannot afford computers, art or music programs or science labs, and the campus's only playground is its parking lot. Bake sales and school dances provide a meager supplement to the school's average annual tuition of \$3,936, which is billed by the week because, executive director Anyim Palmer says, some parents cannot pay for a full month at a time.

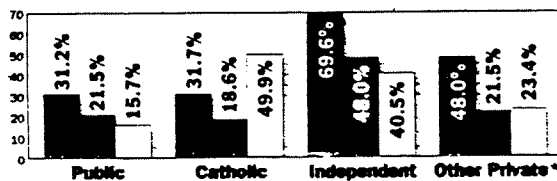
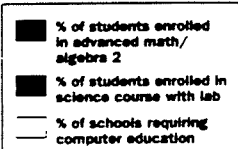
But that has not kept black families—including some who have tried other, more expensive schools—from enrolling their children in Palmer's program. Convinced by his years as a public school teacher and administrator that black children were being severely shortchanged, Palmer founded Marcus Garvey in 1975.

Discipline is strict, the school day long—classes are in session from 9 a.m. to 5 p.m.—and the homework is plentiful and demanding. "The students seem to relish the challenge," said Palmer, who valued his education in segregated schools in the South because "the teachers loved us and believed in us."

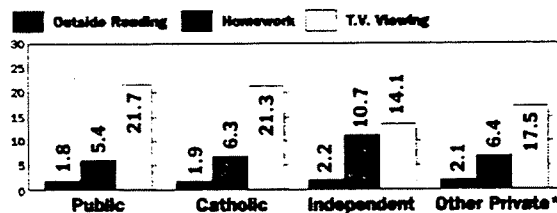
He frequently sends visitors into

### How They Differ

A nationwide study of 25,000 students in 1,000 public and private schools suggests significant differences in study habits and enrollment in academically rigorous courses. The students were eighth-graders in 1988.



### Hours per Week Spent on:



\* Includes all other private, non-Catholic schools, ranging in affiliation from Jewish to fundamentalist Christian.  
SOURCE: National Center for Education Statistics, September, 1991.

21-15

his school's small classrooms to watch the children display their progress. Preschoolers identify colors in English, Spanish and Swahili. First-graders prove their mastery of spelling and vocabulary lists that include *anomaly*, *propinquity* and *shibboleth*. Fifth-graders zip through the kind of complex algebra problems that have given many a high school student fits, and seventh- and eighth-graders hunker down over calculus texts.

Lack of fancy facilities also has not kept parents from enthusiastically supporting the Mission Hills Christian School in the Orange County community of Rancho Santa Margarita near Mission Viejo.

"We used to be known as 'the school in the shopping center,'" said Principal George Gay, because of the former location of the 13-year-old school. Now quartered in a business park while awaiting construction of a permanent campus nearby, the school lacks a library, computer lab and other amenities.

Still, enrollment has climbed to 250 students in kindergarten through eighth grade. Gay said parents are drawn by the biblical orientation of the academic program and by their desire to have their children reared "in proper values and standards and be held accountable for their behavior."

Schools that do have a lot of money often choose to spend it on keeping classes small and adding academic extras.

**A**t Stephen S. Wise Temple Elementary School, affiliated with a Reform Jewish temple on a stunningly beautiful campus near Bel-Air, class sizes range from 20 to 23. There are two full-time teachers in each of the primary grade classrooms—one to teach basic academic subjects and one to teach Hebrew and Jewish thought, culture and values.

There are additional teachers for science, math, the arts and a reading lab, said Metuka Benjamin, educational director for the temple, which also runs a middle school, a high school, parenting programs and a preschool.

The temple helps provide field trips, books and other classroom supplies and encourages students to embark on community service projects. Members also contribute resources—including a new 30-machine Macintosh computer lab from Edna and Mickey Weiss.

Considering the range of private schools, choosing wisely is not easy, especially with California's hands-off approach to academic regulation. The Legislature has historically been reluctant to impose state oversight. That is not unlike the practices of most other states, said private education consultant Charles J. O'Malley, who has conducted surveys on state regulations.

"Private schools are one of the last great unregulated industries in California," said William L. Ruckeyser, a spokesman for the state Department of Education. "It's very much a case of *caveat emptor*."

**C**alifornia requires only that a private school file an annual affidavit stating that school attendance requirements are being met. The state's education code also requires that private schools offer the same basic subjects available in public schools and that their students be taught by capable—but not credentialed—people. The myriad rules and regulations governing the state's public schools—the ban on corporal punishment, for example—do not apply to private schools or the burgeoning movement to educate students at home.

"I was one of those people who just assumed that 'private' meant 'better.' I sure got slapped in the face with that one," said Jennifer Summer of North Hollywood, who took her 5-year-old son out of the first school where she enrolled him because she felt the staff showed a poor ability to relate to students individually. When she tried to complain, she was stunned to find out how few state requirements there are for private schools.

"Nobody would even take a report from me," said Summer, who switched to a Montessori school in Burbank. A single mother, she struggles to pay the \$400-a-month tuition because she believes California's financially strapped public schools no longer have the resources to do a good job.

Roger Wolfertz, an attorney for the California Department of Education, said his office fields daily complaints about private schools, but in most cases must tell callers there is nothing the state can do.

"If it's a zoning or health and safety complaint, we refer them to the appropriate local agency," said Wolfertz, "but if it's a complaint about educational quality—textbooks, teachers, methods of instruction—we tell them we have no jurisdiction."

"We're out of it."

**Next: Why parents choose private schools.**

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## Conservatives against choice.

# OPTING OUT

*By John J. Miller*

**T**hroughout the campaign, President Bush argued hard for school choice. "You can't [improve education] with the school bureaucracy controlling everything, and that's why we have a new program," he said during the second debate. "It says, let's give parents the choice of a . . . public, private, or religious school." In campaign speeches, Bush mocked Bill Clinton for opposing his \$500 million "C.I. Bill for Children," which would provide public or private school tuition vouchers of \$1,000 for kids from low- or middle-income families in certain communities. "We're not going to do it by trickle-down government, having Governor Clinton tell us how to run our schools all across this country," he said in North Carolina.

In the past, school choice—like capital gains tax breaks and prayer in school—was an easy applause-getter among Republican crowds. But if Bush thought touting choice this year would win him universal praise from the right, he was wrong. Recently, many prominent conservatives have begun to sour on the idea. Patrick Buchanan, Charles Murray, and even the Heritage Foundation have all become increasingly skeptical of school choice.

This isn't to say that conservative education wonks are suddenly joining the NEA and the American Federation of Teachers in opposing the program. The standard liberal argument against school vouchers is that they would siphon money from already underfunded public schools and deposit it into private schools. The result: well-off kids in the suburbs would enroll in good private schools, while poor kids whose parents couldn't afford private schools even with the help of vouchers would be stuck in run-down city schools. The conservative dissenters, however, have turned the liberal argument on its head. They oppose choice not because it would boost private schools at the expense of public ones, but because it could make private schools more like public ones. "What we're looking at is the deprivatization of private schools," warns Llewellyn H. Rockwell Jr., president of the Alabama-based Ludwig von Mises Institute.

The fear is that once federal voucher funds started flowing into private schools, the government would have a foot in the door. Before long, private schools would be buried in the kind of education regulations that they say suffocated the public schools in the first place: teacher certification, curriculum content requirements, government-dictated admission standards, prayer bans, condom awareness programs. "I used to think school

choice was a great idea, and I still support the concept," says Murray. "But I'm beginning to wonder whether voucher programs would invite the kinds of regulations that have crippled our public schools."

The speculation about government intrusion is probably justified. According to Chester Finn Jr., former assistant secretary of education under Reagan and an early school choice advocate, "There's no doubt in my mind that there will be some new regulations with voucher plans." Statements like that make libertarians, such as the Cato Institute's David Boaz, cringe. Boaz believes a federally financed plan would be disastrous. "I don't even think there should be a Department of Education," he says. "The more centralization, the worse the regulation." Boaz's stand may be a little extreme even for his fellow skeptics. But not by much. A recent Heritage Foundation press release warned that the school choice program "has the potential to backfire. It could easily lead to onerous regulation of private schools."

As an example of the havoc they believe choice vouchers would wreak in secondary schools, worried conservatives point to Hillsdale College, a small liberal arts school in Michigan, some of whose students once accepted government loans. Hillsdale began admitting women and blacks in the mid-nineteenth century, but in 1975, when the government imposed what Hillsdale considered to be overly intrusive affirmative action guidelines, the school refused to comply. A decade later the courts forced Hillsdale to trade its public aid for autonomy; today its students cannot receive any kind of government assistance. If Hillsdale must go to such great lengths to protect its independence, the conservatives say, then how can private grade schools expect to remain free from government meddling?

Another troubling example for conservatives comes from Nebraska. In 1981 the fundamentalist Faith Baptist Church school in Louisville refused to follow the local board of education's private school regulations, which required state certification of teachers, mandated that certain courses be taught, dictated the length of the school day and year, and required that licensing applications be filed regularly with the state. In a now widely recognized precedent, the state Supreme Court demanded that the school obey the school board rules, rebuking its refusal as "an arbitrary and unreasonable attempt to thwart the legitimate, reasonable, and compelling interests of the state in carrying out its educational obligations, under a claim of religious freedom."

In order to circumvent such interference, conservatives in California have been working to put a private school choice initiative on the ballot. If passed, government regulations could be enacted only with the approval of three-quarters of the state's legislators, or a two-thirds vote of a local governing body followed by a majority vote of the state's registered voters. One of the initiative's biggest boosters is free market economist Milton Friedman. Former Education Secretary William Bennett is also a supporter. "It's definitely the right way to go," he says. The initiative is scheduled to appear in June 1994.

By then, however, federal school choice programs may

be a dead issue. Clinton opposes private school choice, and a Democratic Congress isn't likely to force it on him. Even among congressional Republicans support for the measure is spotty. The House Education and Labor Committee includes a number of Republicans—ranking member Bill Goodling of Pennsylvania, Susan Molinari of New York, and Marge Roukema of New Jersey—who firmly oppose choice for the same reason liberals do. In August the House considered an amendment sponsored by Republican Richard Armey of Texas that earmarked \$175 million for private school choice. Only eighty of 166 Republicans voted in favor of it. And when the Senate voted last January on an amendment sponsored by Orrin Hatch that would have provided \$30 million for voucher demonstration projects, six Republicans defected to the Democratic majority. Even if Bush had won a second term, his own party might have seen to it that his G.I. Bill for Children never reached adolescence. •

21-18

21-18

*Why*  
**PRIVATE  
SCHOOLS  
ARE RARELY  
WORTH THE  
MONEY**

**Forget the myth that private schools are the best. Our survey shows many public schools are every bit as good—if not better.**

**BY DENISE M. TOPOLNICKI**

WITH PREP SCHOOL COSTS RUNNING NEARLY AS HIGH AS THE \$26,000 a year that Ivy League colleges command these days, most families who send their kids to private or parochial schools must sacrifice new cars, bigger houses, vacations and even retirement savings to pay the tab. The question: Is private school really worth the expense? A ground-breaking new MONEY survey of public and private schools around the U.S. shows that the answer is often no.



21-19





◀ PRIVATE

*The picture-book campus of the all-girls National Cathedral (top) in Washington, D.C. suggests this is an elite school. By contrast, the plain brick facade of New Trier High (bottom) in the Chicago suburb of Winnetka gives little hint of the topnotch education that lies within.*



◀ PUBLIC



- Among our findings:
- Students who attend the best public schools outperform most private school students.
  - The average public school teacher has stronger academic qualifications than the average private school teacher.
  - The best public schools offer a more challenging curriculum than most private schools.
  - Public school class sizes are no larger than in most private schools and are smaller than in most Catholic schools.

Shocked? So were we. After all, some of us, like some of you, send our children to private schools and thus pay twice for education—through high property taxes plus tuition. Indeed, roughly 30% of the kids who live in the affluent public school districts that came out best in our study attend private schools, vs. only 11% of all U.S. students. If you are the parents of one of those kids, here's the bottom line: You are probably wasting your hard-earned money.

Just how common are the "best" public schools? According to William L. Bainbridge, chief executive of SchoolMatch, a Westerville, Ohio company that helps parents select the right schools for their children, about 10% of all public schools—or about 2,000 nationwide—are as outstanding academically as the nation's 1,500 most prestigious and selective private schools. (These elite prep schools educate only about 10% of all private school students.) If you don't live near one, it may pay to move. Or you can do what the Semenkovich

family did (see the box on page 106) and ask your child's public school teachers to create a special program to meet his or her needs; you may be surprised at the results.

It is true that test scores are higher at private and parochial schools than they are at public schools. (Average SAT scores at prep, Catholic and public schools are 999, 920 and 896 respectively.) But the explanation is not the quality of education the schools offer. Rather, it is a consequence of their varying selectivity. Public schools are legally obligated to educate all children who live within their districts, while prep schools have the luxury of rejecting two of every three applicants. Admits Mark Mullin, headmaster of St. Albans (pictured opposite), a private boys' school in Washington, D.C.: "We look for academic brilliance." Donald A. Erickson, professor emeritus of education at UCLA and an expert on private schools, says: "The evidence shows that educators don't have enormous power. A school's performance is a reflection of the students who attend it."

In our survey, we examined 70 public and private schools, focusing on areas that should concern parents of school-age children—namely, each school's level of student achievement, its teachers' qualifications, course offerings including

▲ PUBLIC

*Affluent public schools boast well-equipped science and computer labs. Above, journalism students at New Trier High edit on computers. However, top public schools can't compete with prep schools...*

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*...on am Above, a vanced ment his class at St. Albans Washington D.C. (aff with Nat Cathedral in a clas tony eno to pass f private c*

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**PRIVATE** ▲

*...on ambience. Above, an Advanced Placement history class at all-boys St. Albans in Washington, D.C. (affiliated with National Cathedral) meets in a classroom tidy enough to pass for a private club.*

arts and sports programs, class size, facilities, discipline problems, ethnic diversity and, in the case of private schools, cost (for our methodology, see the box at right). Below we describe the details of our findings and provide advice on how to choose the best school for your kids.

**STUDENT PERFORMANCE**

■ **The level of student achievement is relatively similar at advantaged public and elite prep schools.** Students at the 20 prep schools in our sample, both nonsectarian and religious, boasted the loftiest average SAT scores, ranging from 1,000 to 1,298.

But public schools serving affluent areas weren't far behind, with average scores of 986 to 1,130. (And remember, they are testing a more diverse group of students.) In fact, scores at all but one affluent public school (Beverly Hills High) topped 1,000. The SAT is the college admissions exam taken by 42% of high school students. Students at the advantaged public schools also did well on the ACT, which is the college entrance examination taken by 38% of high school students, particularly those who attend state universities in the Midwest: Average scores ranged from 21.5 to 24.7, well above the na-

**HOW WE DID THE STUDY**

We divided the universe of approximately 22,700 public schools, 1,500 prep, 1,200 Catholic and 5,300 other parochial schools into seven distinct types, listed below. We then asked SchoolMatch to identify 10 typical schools nationwide in each category. Nineteen MONEY reporters and correspondents visited 22 of the schools on the list. Administrators of the remaining 48 schools were interviewed by phone.

In all seven categories, we questioned school officials on topics that are important to parents of school-age children. We also examined school records, state department of education reports, and public and private school information guides. What resulted was a broad picture of the quality of education in public, private and parochial schools. Here are the types of schools we looked at:

- **Public schools** that serve advantaged areas, based on household income (taking into account regional differences). Income range of the affluent communities in our survey: \$44,218 to \$118,456.
- **Public schools** that serve average communities that are neither rich nor poor. Income range: \$20,501 to \$35,483.
- **Public schools** that serve disadvantaged neighborhoods, including poor rural communities and inner cities. Income range: \$14,100 to \$21,897.
- **Nonsectarian prep schools**, which historically have educated the nation's elite. Average tuition: \$9,500.
- **Religious prep schools** that are affiliated with groups like the Quakers or Catholic orders like the Jesuits. Average tuition: \$10,500.
- **Roman Catholic schools** run by parishes and dioceses. Average tuition: \$3,500.
- **Other parochial schools**, such as Christian academies, which are less selective than religious prep schools. Average tuition: \$4,200.

21-22

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tional norm of 20.8. (The prep schools could not supply ACT scores because so few of their students take the test.)

Given their impressive performance on college entrance exams, it is not surprising that the majority of these same public school students go on to attend four-year colleges. The prep schools in our sample, which by their very name are in the business of preparing students for college, send virtually all of their graduates to four-year colleges and universities. While the affluent public schools can't match that claim, they generally send 80% or more of their graduates to four-year schools, with the top third of their classes typically heading for the same selective schools that preppies prefer.

Consider, for example, public Millburn High School in northern New Jersey: 86% of its 162 graduates in 1993 went to four-year colleges, 10% of those to Ivy League schools such as Princeton and Harvard. Among the top third of the class, 31% headed for Ivy League institutions, while another 49% went to other colleges with very selective admissions standards, including schools like Williams and the University of Chicago. (By comparison, at the elite St. Albans, 31% of the 75-member class of 1993 went to Ivy League colleges and 65% went to other very selective schools.) On average, Millburn students each apply to a dozen colleges; last year one anxious young man applied to 28. Says Nancy Siegel, one of the school's four guidance counselors: "Parents here are actively seeking to get their kids into the most aca-

demically outstanding institution possible."

■ **Catholic schools beat average publics on student success measures, but not by much.** For families who can't afford exorbitant prep school tuitions of \$10,000 to \$20,000 or more, Catholic schools that typically charge around \$3,500 a year are often viewed as the next best hope for educating their children. Indeed, in many tough inner cities, Catholic schools often provide the only oasis of educational opportunity. But public schools in average (middle and lower-middle income) communities generally perform just as well.

When we looked at average SAT scores, the Catholic schools—which, like prep schools, can select their students—clearly had the edge over average and disadvantaged public schools (schools serving low-income neighborhoods). At Catholic schools where most students took the SAT, average scores ranged from 952 to 1,054, considerably higher than the scores at average (790 to 986) and disadvantaged (757 to 948) public schools. The non-Catholic parochial schools also beat the average publics, although they reported highly divergent scores (812 to 1,013). The

## ▲ PUBLIC

*Top public and private schools supplement academic course offerings with a rich menu of arts and sports programs. In the photograph above, New Trier students hone modern dance techniques; at right, boys at St. Albans simulate mountain climbing in the school's gym.*

## PRIVATE ▶

**REPORT CARDS  
FOR SEVEN TYPES  
OF SCHOOLS**

Schools are ranked below, best to worst. Grades are based on the performance of 10 of each type that MONEY examined.

Catholic advantage is less pronounced, however, when average ACT scores are compared. Scores at Catholic schools with a large number of ACT takers ranged from 19.2 to 22.6, vs. 19.6 to 21.5 at average public schools and 18 to 22.2 at non-Catholic parochial schools. Disadvantaged public schools lagged, posting average scores of 16 to 20.6.

Interestingly, despite the fact that their students performed so well on college entrance exams, Catholic schools were less successful than other parochial schools in sending their graduates to four-year colleges. Most of the non-Catholic parochial schools in our sample—seven out of 10—send more than 80% of their graduates to four-year colleges. The record at Catholic schools is spottier, ranging from 59% to 95%, perhaps because many college-oriented Catholic kids go to religious prep schools run by the Jesuits and other Catholic orders. Average public (30% to 64%) and disadvantaged public (15% to 55%) schools perform the worst by this measure.

While there is no denying that, overall, the Catholic schools in our sample outperformed the average and disadvantaged public schools on student achievement measures, some experts argue that the differences would vanish if researchers could control the fact that Catholic schools

	College entrance exam scores	Availability of AP courses	% graduates to four-year colleges	Teachers' qualifications	Overall grade
<b>Nonsectarian prep</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>B</b>	<b>A</b>
<b>Religious prep</b>	<b>A</b>	<b>A</b>	<b>A</b>	<b>B</b>	<b>A</b>
<b>Advantaged public</b>	<b>A-</b>	<b>A</b>	<b>B+</b>	<b>A</b>	<b>A</b>
<b>Catholic</b>	<b>B</b>	<b>C</b>	<b>B</b>	<b>B</b>	<b>B-</b>
<b>Other parochial</b>	<b>B-</b>	<b>C</b>	<b>B+</b>	<b>C</b>	<b>B-</b>
<b>Average public</b>	<b>C+</b>	<b>D</b>	<b>C</b>	<b>B-</b>	<b>C</b>
<b>Disadvantaged public</b>	<b>C-</b>	<b>F</b>	<b>C</b>	<b>C-</b>	<b>D+</b>

can pick and choose their students. Says political scientist John F. Witte of the University of Wisconsin, an expert on public and private school performance: "Catholic schools interview the hell out of parents. A kid doesn't get in if his parents seem to have a chip on their shoulders or don't want to work with the school."

While not as selective as the elite prep schools, the Catholic schools we looked at rejected as many as two-thirds of all applicants. The motivated kids who manage to get in—and this applies to prep schools as well—do tend to stimulate each other to succeed. That competitive atmosphere is an advantage that open-door public schools lack.

**TEACHER QUALITY**

■ **Public school teachers have stronger academic qualifications than their private school counterparts.** Here's a statistic that may surprise you: According to the National Center for Education Statistics, half of all public school teachers hold advanced degrees, vs. only a third of private school instructors. Among the seven types of schools we looked at, advantaged public schools have the best-educated teachers—66% to 100% boast master's degrees or doctorates. Average public and Catholic schools aren't far behind, with about half to three-quarters of their teachers holding advanced degrees. Somewhat fewer prep school teachers hold master's degrees or doctorates (about half to two-thirds), though many are graduates of the nation's most renowned colleges and universities. Prep schools tend to employ graduates of elite colleges in part because teaching at



21-24

21-24

a private school has long been considered a respectable profession for the wealthy. Instructors at non-Catholic parochial schools are least educated, with only one- to two-thirds holding advanced degrees.

National studies show that public school teachers also have an edge in experience: 67% have taught for a decade or more, compared with 55% of instructors at all types of Catholic schools, 44% at all types of nonsectarian private schools and 42% at non-Catholic parochial schools. One reason public school teachers tend to stick around longer is that they earn about 40% more, on average, than private school teachers do.

## CURRICULUM

■ **Top public schools offer as many challenging courses as prep schools do.** Advanced Placement (AP) courses in such courses as calculus and computer science, which culminate in exams that can qualify students for college credits, are usually the most demanding offerings in a high school's curriculum. So we asked the schools in our sample how many of the 29 AP subjects recognized by colleges they taught. Advantaged public and prep schools typically offer AP courses in at least a dozen subjects, though a few of the private

schools, including Norfolk Academy, in Virginia, and Germantown Friends, a Quaker school in Philadelphia, offer none, on the theory that all of their classes are equally rigorous. At the private Greenhill School in Dallas, which offers 15 AP courses, 75% of last year's seniors took AP exams and 87% did well enough to earn college credits. Public Clayton High in suburban St. Louis, which offers 13 AP courses, boasts a similar record: Two-thirds of all seniors took at least one AP exam last year and 94% scored high enough to receive college credits.

■ **AP classes are generally less available at the other schools we surveyed.** Catholic, other parochial and average public schools are comparable on this measure. A few schools in each category offer as many as 11 AP courses, but in all three cases the majority of schools offer between zero and five. That's not much better than the disadvantaged public schools, which offer between zero and four.

■ **Public schools offer arts and sports programs that often exceed those found at private schools.** For all but the most exclusive prep schools, the availability of a well-developed arts and sports curriculum is a matter of practicality. Many small private and rural public schools with fewer than 200 or so students simply cannot round up enough kids, teachers and coaches to sustain choirs, orchestras or a full menu of varsity sports teams for boys and girls. Private Orangewood Adventist Academy in Garden Grove, Calif., which graduated only 18 this year, plays only four sports—flag football, softball, basketball and volleyball—and doesn't have a cheerleading squad. (It does have clubs for hikers, scuba divers and rock climbers, however—all activities that don't require a crowd.) By contrast, one of the non-elite public schools we visited, 905-student Steel Valley High in middle-class Munhall, Pa., offers 11 varsity sports, including football, basketball, track and soccer, as well as a marching band, choir, drama club, video/TV production group, student newspaper and an array of foreign language and social service clubs.

## LEARNING ENVIRONMENT

■ **Classes in public schools are no bigger than in most private schools and are smaller than in Catholic schools.** Although it has not been proved that smaller classes result in a better education, many parents equate cozy classrooms, with 15 or so children each getting individualized attention, with quality education. Parents who feel that way would love the prep schools in our survey, where average class size ranged from just 11 to 20 kids. Class size at most private schools, however, is much larger.

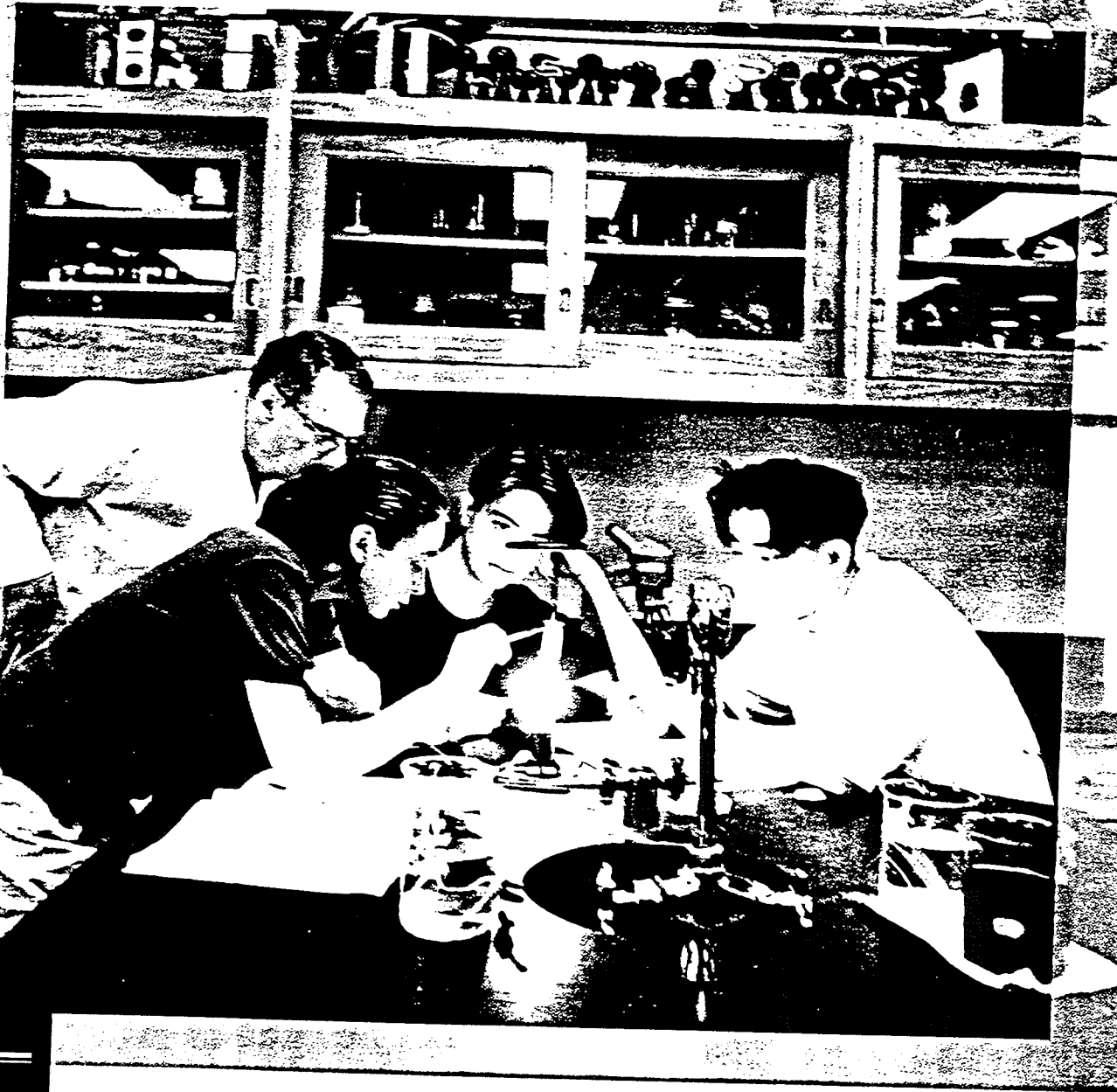
It might startle you to learn, for instance, that of all the schools we looked at, the highly regarded Catholic schools had the largest classes, averaging between 20 to 30 students each. By contrast, average class size in the other parochial schools in our sample ranged from 13 to 25 students, while public schools had classes ranging in size from just 11 to 29. Interestingly, the average number of kids in a public school's classes isn't related to the local town's socioeconomic status. For example, California's world-famous Beverly Hills High crams 28 students into its typical classroom, while a dozen students is a crowd at Bosworth High in disadvantaged Bosworth, Mo.



**PRIVATE**

*At right, a St. Albans student enjoys a private tutorial.*

21-25



## PUBLIC

*New Trier High biology students, above, do their experiments in small groups.*

■ **Facilities at public schools are often at least as good as those at private schools.** Believe it or not, we found the most luxurious buildings in average public school districts. Four-year-old Palmer High in Palmer, Mass. (median household income: \$31,159), for in-

stance, features an indoor swimming pool as well as a greenhouse for budding botanists. In Browns Mills, N.J. (median income: \$35,483), students at 20-year-old Pemberton Township High enjoy two cafeterias, a 740-seat auditorium, three computer labs, a greenhouse and a cable-television studio. Most of the other public schools and all of the Catholic schools in our sample are best described as clean but ordinary.

Facilities at non-Catholic parochial schools varied the most in quality. Some resembled college campuses, such as San Marcos (Texas) Baptist Academy, which features a stable and riding arena, while others fight the same battles against blight that inner-city public schools do. For example, Orangewood Adventist Academy is housed in a shopworn 30-year-old build-

ing in a graffiti-plagued neighborhood in Garden Grove, Calif.

Not surprisingly, most prep schools have campuses replete with playing fields, art studios and well-stocked libraries, the most impressive being Germantown Friends' 60,000-volume Free Library, which also serves the surrounding community. Some of the campuses we visited brought to mind a society matron's 30-year-old tweed suit, however—still classy but a bit frayed around the cuffs.

■ **Like private schools, advantaged public schools have few discipline problems.** It figures that private schools are so blessed: They have the ability not only to select their students but also to expel troublemakers who slip in. Public school administrators, by contrast, must vault a series of legal hurdles established by state and federal courts and state legislatures over the past 20 years if they want to get rid of unruly kids, even temporarily. As a result, an offense as serious as carrying a weapon to school doesn't necessarily result in suspension in some states. However, the advantaged public schools in our sample were as calm as the prep schools, reporting no incidents of violence other than occasional fistfights between students, and few acts of vandalism.

## HOW ONE COUPLE MADE THEIR PUBLIC SCHOOL A WINNER

IF YOU ARE UNHAPPY WITH YOUR CHILD'S PUBLIC EDUCATION AND THINK an expensive private school is the only alternative, think again. As Janice and Clay Semenkovich of Ladue, Mo., an affluent St. Louis suburb, found out, by asking the principal and teachers to tailor a program to your child's needs, you can often get your public school to provide an education every bit as good as anything private schools offer—and for a lot less money.

Until their son Nicholas entered first grade in the fall of 1993, the Semenkovichs didn't spend much time worrying about whether private schools were better than public. Both parents are successful products of public school systems: Janice, 39, a radiologist, attended Ladue's highly regarded schools; Clay, 39, an endocrinologist, was educated in Virginia. So it seemed perfectly sensible for the Semenkovichs to send Nicholas, now 8, to Ladue's Reed Elementary School, just a 10-minute walk from their house. They began to wonder whether they'd made the right decision, however, when Nicholas, an avid reader, brought home work that was far beneath his abilities and began to complain that he didn't enjoy school.

Janice immediately set out to tackle the problem as methodically as she would read an X-ray. First she visited Nicholas' class, where she was impressed by his teacher's talents but troubled by the fact that she had to tailor her lessons to 21 children with widely different abilities. Next she sent for literature from six nearby private schools that had been recommended by friends, and also phoned headmasters, asking them about their curriculum, average class size and facilities. To her surprise, Janice found that some of the private schools had classes as large as Nicholas' at Reed. Furthermore, Reed's facilities—particularly its computer labs—were actually superior to those at some private schools. And, she adds: "I found the private schools embrace the same questionable educational theories that are in vogue in the public schools." For instance, all eschewed "tracking," the grouping of students by ability.

One school, Beasley, appealed to her, however. She was impressed by the small classes (15 students, on average), well-



*Clay and Janice Semenkovich (holding daughter Katherine, 4) decided to keep son Nicholas, 8, in public school.*

equipped laboratories and heavy emphasis on science. But at \$7,300 a year, it was also the most expensive school she had considered. "For \$7,300 a year," she says, "I had to make sure that the education Nicholas would receive would be much better than what he was getting in public school.

That amount of money can pay for lots of enriching books, computer software and even educational vacations."

So she made an appointment with Reed's principal to see whether the public school could better meet Nicholas' needs. She was pleasantly surprised by how eager the principal and teachers were to prepare a personalized, more challenging course of study for Nicholas. They began giving him more difficult books to read and more advanced math and computer assignments to work on in class. The school's cooperative attitude convinced the Semenkovichs, who also have a daughter Katherine, 4, to stick with Reed. That decision suits their son just fine. Laughs Janice: "Now Nicholas is somewhat easier to get ready for school in the morning. Seriously, though, he seems to be really happy there now."

What accounts for the peaceful atmosphere on advantaged public school campuses? Like their prep school counterparts, these students are apparently too busy to get into trouble. At Millburn High, for example, 20% to 30% of students take six academic subjects and a few squeeze in a seventh. It's no different at Horace Greeley High in Chappaqua, N.Y., where, says principal Ed Hart, "I've got a school full of motivated kids who have heavy schedules. Some skip their lunch period so they can take an extra class."

As for alcohol and drug use, no school is completely clean. Germantown Friends' headmaster Dick Wade, who expelled

three students found with marijuana on campus last year, says frankly: "We don't have violence or gangs, but if you send your children here thinking that we're a sanctuary from the problems of adolescence, you're simply mistaken."

■ **Discipline is stricter at Catholic and other parochial schools than at average and disadvantaged public schools.** Most of the average public schools we looked at weren't plagued by serious violence. For instance, at Steel Valley High in Munhall, Pa., which serves a community devastated by job losses in the shrinking steel industry, major incidents are few and far between—one knife was confiscated from a

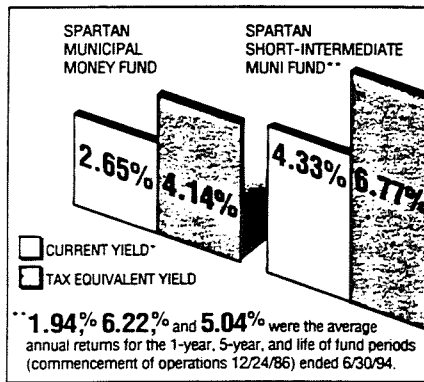


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## EDUCATION

student last year—but there are plenty of minor disturbances that interfere with learning. Says principal Aldine Coleman: “There are lots of nonsensical disruptions in the classroom. Students talk too much, agitate others, don’t want to work, give teachers a hard time and are disrespectful and insubordinate.”

We found such interruptions to be less common in Catholic and other parochial schools, where rowdies are escorted to the door without so much as a “Godspeed.” “This is a smoke-free, hat-free, gum-free school,” reads a sign in the hallway of Philadelphia-Montgomery Christian Academy in Erdenheim, Pa. Kids who don’t conform get the boot.

## DIVERSITY

■ **Private schools are no more lily-white than public schools.** Some 12% of private schools nationwide are all-white, compared with 9% of all public schools. National studies also show that a fifth of both private and public schools have student bodies that are 50% or more minority. Even the 932 prep schools that belong to the National Association of Independent Schools (NAIS) boast student bodies that are, on average, 6% Asian, 5% African American and 2% Hispanic. At the \$7,900-a-year Greenhill School in Dallas, for example, 21% of the students and 10% of the faculty are minorities; 12% of the kids receive scholarships. Says headmaster Peter Briggs: “Part of our school’s mission is a profound commitment to ethnic and socioeconomic diversity.” The most racially segregated institutions in our sample are the advantaged public schools—no surprise, considering that the communities they serve are home to few minorities, most of them Asian. One notable exception: Clayton High, where 21% of the students, some of whom are bused from St. Louis, are African American.

It is also worth mentioning that many parochial schools enroll a significant number of kids who don’t share the religious beliefs that their schools teach. One of the Catholic prep schools in our survey, St. Sebastian’s Country Day School in Needham, Mass., last year had a Muslim valedictorian, now at Harvard, and a Mennonite salutatorian, now at Dartmouth.

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A MESSAGE FROM THE COUNCIL ON FAMILY HEALTH  
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## EDUCATION

### WHICH SCHOOL IS BEST FOR YOUR KID?

Given the facts about public and private schools, where should you send your kids? We believe you get the best value for your education dollars at a top public school. Prep schools offer an outstanding education, but few families can afford to spend \$10,000 and up on tuition, nor should they, if a public school will do just as good a job. You can apply for financial aid, but don't expect to get it. Although pricey prep schools are more likely than Catholic or other parochial schools to give scholarships, only 16% of students who attend schools in the NAIS get aid, which averages \$5,400 a year.

As a result, it makes more sense financially—particularly if you have more than one child—to move to an affluent district with a top-ranked public school system. Of course, you'll also pay dearly for a Millburn or Chappaqua education, since a town's real estate values reflect the quality of its schools. In the most desirable suburbs whose schools we examined, median prices for single-family homes ranged from \$156,000 in Birmingham, Mich., a Detroit suburb, to more than \$500,000 in Beverly Hills and Kenilworth, Ill., which sends its kids to nearby New Trier High.

You'll also pay sky-high property taxes, since property taxes are what subsidize most first-rate public schools. But mortgage interest and property taxes, unlike private school tuition, are deductible on your federal tax return. So if you live in a town with outstanding public schools, take advantage of what your tax dollars are already buying.

You may have a third option available: living in a lower-cost town and sending your children to a high-performance public school nearby that accepts tuition-paying nonresidents. A few thousand school districts around the country open their schools to nonresidents for only \$3,000 to \$5,000 a year, which is comparable to what most parochial schools charge in tuition. To find out where these schools are located, you can call well-regarded school districts near your hometown or hire SchoolMatch to search your area (cost: \$49; 800-724-6651).

Families determined not to pay tuition of any sort, or the high property taxes in

21-29

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## EDUCATION

a top-rated district, should also look into whether their district offers any "magnet" schools, specialized public schools such as New York's well-respected Bronx High School of Science, which has produced 68 winners of the prestigious Westinghouse awards for young scientists over the past four years. Most magnet schools are very selective, however, so your child will need exceptional grades and test scores to get accepted.

If your only option turns out to be a public school in a socioeconomically average community, don't despair. Advises SchoolMatch's Bainbridge: "There are fine public school systems in communities where property values aren't stratospheric." One good place to look: small college towns where a lot of well-educated parents volunteer in the schools and demand top performance from teachers and principals.

When shopping around, ask principals the same questions we did—about student achievement, teacher credentials, curriculum, class size, facilities, arts and sports programs, diversity and, of course, tuition charges. Cross a school off your list if you don't get detailed answers within a few days. In our experience, schools that have the least to brag about take the longest to respond. And no matter which type of school you choose, if you're not satisfied with your child's progress, don't feel you have to settle for the status quo. Take the initiative and ask the principal and teachers to give your child more challenging assignments.

The best news to come out of MONEY's survey of public and private schools across America was that by and large, public schools are not lacking in experienced topnotch teachers, challenging courses or an environment that is conducive to learning. What many public schools are lacking is a student body brimming with kids eager to take advantage of what the school has to offer. But just because other kids disdain getting a good education doesn't mean your kid has to. Most teachers are dying for young, motivated minds to nurture. If they find an industrious student who is eager to learn, more often than not they will give him or her all of the personal attention that private tuition money could buy. **\$**

Reporter associate: Kelly Smith

Testimony on House Bill 2217  
and the Subject of **School Vouchers**  
on Behalf of  
The Jewish Community Relations Bureau/  
The American Jewish Committee  
February 22, 1995

by Rabbi Mark H. Levin, Congregation Beth Torah, Overland Park, Kansas

We oppose the idea of vouchers to private schools for two reasons. First, public schools are the sole remaining institution bringing together the vast majority of Americans regardless of ethnic, religious, racial, socio-economic or cultural background. Second, because the majority of students attending private schools are attending religious based institutions, creating a voucher system will inevitably violate the separation between church and state that is a pillar of our democratic system.

In a nation with as much ethnic diversity as the United States, it is difficult for the citizenry to develop shared experiences. Before the all-volunteer army, and particularly in times of national need and universal conscription, military service served as a common denominator that brought together at least all eligible males: rich and poor, black and white, northern and southern, Christian and Jew. People who otherwise could never possibly come into contact because they grew up in different regions of the country, or whose families would never associate because of different social groupings, were brought together in situations in which they were compelled to rely upon one another.

This socio-cultural mix enabled people to develop a sympathy that went beyond class lines and other distinctions. Without that personal interaction such sympathy could not possibly develop in a country with many diverse ethnic and religious backgrounds.

The development of an all-volunteer military has removed the possibility of that institution being an agent of interaction for the broad range of Americans. **The only social institution in the United States which remains as an agency of cultural interaction among diverse populations is the public school system.**

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Although it is not perfect, the public school system enables all socio-economic and religious groups to meet. In such a situation, stereotypes are challenged by reality as children study and experience first hand, in their schoolwork and play, peers with dissimilar backgrounds.

The opportunity for disparate groups to share cultural assumptions, beliefs, experiences, family customs, holidays, and all other aspects of one another's culture is essential to a democracy. Maintaining our form of government requires that the citizens who form the basis of the democracy mutually care about the welfare of the other groups. A democracy requires that all segments of the society be willing to compromise and even sacrifice for the welfare of the nation. A basic familiarity with other groups in society is required to accomplish this critical goal for our nation.

It would be catastrophic for our democracy if vast segments of our youth worship, study, live in neighborhoods, and attend schools with only one religious and/or ethnic tradition. Vouchers are a formula for increasing ethnic and religious isolation in a pluralistic society that needs greater understanding and sympathy among its various groupings.

Second, vouchers will use tax dollars to fund religiously based schools. In American tradition the taxpayers cannot be involuntarily forced to support religious institutions. As Samuel Rabinove of the American Jewish Committee has written, under the Establishment Clause of our federal Constitution, it is not a proper function of government to subsidize any schools, directly or indirectly, whose chief reason for being is to propagate a religious faith, whether that faith is Jewish, Roman Catholic, Unification Church, Nation of Islam, or any other. **Voucher plans simply do not pass constitutional muster.**

**On behalf of the JCRB and the American Jewish Committee, I ask you to oppose HB2217 because it would establish a voucher system in Kansas.**

**AMERICAN CIVIL LIBERTIES UNION**  
**OF KANSAS AND WESTERN MISSOURI**  
706 West 42nd Street, Kansas City, Missouri 64111 (816) 756-3113

**Testimony in Opposition to HB 2217, Enactment of the "Kansas G.I. Bill for Kids"**  
House Education Committee, Hon. Rochelle Chronister, Chair  
Wednesday, February 22, 1995

The American Civil Liberties Union of Kansas and Western Missouri is a private, nonprofit public advocacy and service organization, and an affiliate of the national ACLU, which began in 1920. The purpose of the ACLU is to protect and advance civil liberties as guaranteed under the Bill of Rights through litigation, lobbying and education.

ACLU welcomes this opportunity to again challenge the proponents of school vouchers for private religious schools. We oppose these schemes to funnel public money into parochial schools on First Amendment grounds under the U.S. Constitution.

We also oppose these schemes on the basis of the Kansas Constitution. Kansas in the early days of this century preshadowed later U.S. Supreme Court decisions in areas involving the separation of church and state. Article 6, section 6 (c) of the Kansas Constitution states, "No religious sect or sects shall control any part of the public educational funds."

Attorney General Robert T. Stephen, in "Opinion No. 94-37," concerning the constitutionality of last year's voucher bill, quoted a Kansas case from 1904 regarding prayer in public school:

"Section 7 of the [Kansas] bill of rights contains the following provision: 'Nor shall any person be compelled to attend or support any form of worship.' That is, no person shall be compelled to pay tithes or taxes to secure or maintain a place where any form of religious worship shall be conducted, or where any religious doctrine is taught; nor shall any form of religious worship be conducted, or any sectarian or religious doctrine be taught, in any place supported by imposition of taxes." (Emphasis added by the Attorney General, who found the school voucher program proposed last year to be unconstitutional under both the U.S. and Kansas Constitutions.)

We ask the proponents to consider why this language was put into the Kansas Constitution so long ago. Do you think the framers of our own Constitution were hoping some system would come along to circumvent this language by getting public monies into religious elementary and secondary schools, or do you think they were trying to close as many loopholes as possible? It seems clear to us that they were trying to be as clear as possible that these attempts should not succeed.

It is ACLU's opinion that this year's bill has tried to put sugar on the pill by adding public schools to the "choice." A public school-only voucher bill would probably pass constitutional muster, administrative headaches notwithstanding. However, adding public schools to the "choice" which may be made by a small percentage of students does not make this a constitutional proposal. Public school students do not need "vouchers" to go to school now, so they are not needed for them. The bottom line is that public funds would still be helping to support, via vouchers, some of the state's private religious schools.

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Since we last addressed voucher issues before this committee, the only voucher bill passed by a non-municipal U.S. entity --- Puerto Rico -- has been addressed by its Supreme Court. The Puerto Rico Supreme Court found their voucher statute unconstitutional under their own Constitution, language similar to the Kansas Constitution.

Much has been made by the proponents of various U.S. Supreme Court cases which concern public funds supporting religious post-secondary institutions. In Witters (1986), vocational assistance from the state was permitted when applied to a theological school because it was the mature student's decision to attend it; in Zobrest (1993), government assistance was allowed to a blind student at a religious institution of higher learning; Nyquist (1973) invalidated tuition tax credits; Mueller (1983) upheld tax deductions for certain educational expenses for all students, including public and private. Milwaukee's voucher program for non-sectarian schools has been upheld since sectarian schools are not included.

Much also has been made of Pell Grants and other government aid to students at religious colleges.

These cases are consistent on the point that the courts have always distinguished between higher education and elementary-secondary education in these areas. There is no compulsory attendance at colleges, and the court has found that college students are old enough and mature enough to recognize and choose to study religion at a religious college, and can recognize that government scholarships and other assistance is not an endorsement by the government of the particular religion. Elementary and secondary education students must attend school, and are too young to make these subtle distinctions. There has been no U.S. Supreme Court ruling which allows any governmental funds to aid elementary and secondary schools, except for tax deductions (distinguished from tax credits). Certainly, the specific issue of public voucher funds for religious elementary and secondary schools will be addressed eventually, at potentially great cost to the state which serves as the defendant.

Last year I suggested this committee wait until the U.S. Supreme Court handed down its decision in Board of Education of the Kiryas Joel Village School District v. Louis Grumet and Albert W. Hawk. The court found in favor of the position espousing separation of church and state in that case. There is certainly no indication that the U.S. Supreme Court is interested in eroding the separation of church and state in the area of public funds for elementary and secondary education.

As the Attorney General stated in his opinion on this issue last year, "Therefore, if the state confers money upon a sectarian school, the result is, unavoidably, state support of a form of worship. The state has no power to impose a tax on the citizens of Kansas to aid sectarian schools...The parent serves merely as a conduit through whom the state aid passes. As 1994 H.B. 2754 results in the conferring of state funds upon a place where a form of religious worship is to be conducted, or where religious doctrine is to be taught, the school voucher program...violates section 7 of the bill of rights of the Kansas constitution."

Finally, Thomas Jefferson called it "tyranny" to tax someone to support someone else's religion. We can't say it any better than that.

Please oppose HB 2217.



TO: House Committee on Education  
FROM: Mark Tallman, Director of Governmental Relations  
DATE: February 21, 1995

RE: Testimony on H.B. 2217

Madam Chair, Members of the Committee:

KASB appears today as an opponent of H.B. 2217, the Kansas G.I. Bill for Kids. Our association's policies oppose any form of public funding for private schools. We do, however, support voluntary public school programs that are created with the approval of locally elected and accountable school boards.

Yesterday, the House and Senate Education Committees were told that the idea of public school choice was "unthinkable" as recently as five years ago. That must have been news to the thousands of Kansas students who for years have been attending school outside their resident school district, and the thousands of students who are already transferring every year among schools within a district. Frankly, most school districts only require students to attend a certain school because of (1) mandatory desegregation plans, (2) the fact that certain schools are operating at or near capacity, or (3) districts are trying to make the most efficient use of buildings, staff and other resources. I know of no instance where school boards assign students simply because they think they know better than parents. This bill would not change decisions made in the first two instances, and we suggest the committee consider if the state should require changes in the third case. Surely that is another example of decisions that ought to be made locally.

Under this bill, public schools are required to accept every student they have room for, but private schools can continue to set whatever admission criteria they wish. Supports say that vouchers are needed because the current system lets the "education establishment" decide where children can and cannot attend school. But under this bill, private schools can continue to accept whatever children they want. In other words, private schools would be receiving public funding to do what the bill is designed to keep public schools from doing!

Voucher supporters say that public schools have an advantage over private schools because they receive public funding. We would answer that private schools have an advantage over public schools: independence. That has been the historical balance between these two sectors. Public schools receive public funding; but in turn they are extensively regulated by the government and must serve all students. Private schools are free to who, what and how they want, but must be financed themselves through those individuals who choose to support this independent path. H.B. 2217 would give private schools the advantage of public funding without giving up any independence. On the other hand, this bill does not give the public schools any additional independence, or any other advantage.

The more we consider this line of reasoning, the more clear it becomes that another reason given to support vouchers - the idea of school competition - also does not hold up. Fair competition means playing by the same rules. A fair competition between public and private schools means that private schools receiving

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vouchers would have to:

- (1) Accept all children that wanted to attend in the same school district as the "competing" public school.
- (2) Provide transportation to all children living more than 2.5 miles away.
- (3) Provide special education services for all children who choose to attend, or pay for any required services that the school could not provide directly.
- (4) Provide the same due process (tenure) rights for all certified teachers as public schools.
- (5) Operate under the same Professional Negotiations Act as public schools.
- (6) Operate under the same student suspension, expulsion and disciplinary requirements as public schools.
- (7) Operate under the same accreditation, inservice and certification requirements as public schools.
- (8) Limit the budget to no more than the same cost of operation of the competing public school (not school district; it is inappropriate to compare the per pupil cost of a single elementary school to an entire K-12 district).

H.B. 2217 does not require private schools to do any of the first seven things, and allows them to charge whatever tuition and spend whatever they want. Furthermore, doesn't common sense suggest that if the state provides families choosing private schools with more money, those schools will charge more tuition, the budgets of those schools will increase, and those schools will inevitably come to rely on state support? One justification for this bill is saving money because private schools (on average) may cost less. But private school officials admit they charge less because they do not receive public support. If they begin to receive public support, the condition now holding down their cost would be removed. There is no reason to believe that if private schools are publicly funded they will spend less than public schools that are publicly funded.

Let me offer one final concern about this bill. Section 8 requires that students attending private schools under the bill participate in the school district assessment program conducted by the school district in which the children reside or the private school is located. This means that public schools would have to administer tests to private school students, evaluate those results, and report those results to parents. The school district receives no additional resources for these added costs. Once again, an unfunded mandate.

In conclusion, there are three basic reasons given for supporting vouchers: parental choice, competition and saving money. But under this bill, private schools - not parents - get to choose who attends private schools. Under this bill, private schools get a competitive advantage: public funding with none of the restrictions placed on public schools. This estimated fiscal note for this bill reports a net increase in state costs each year, rising to nearly \$200 million when fully implemented. But we would suggest that any possible savings depends on the idea that private school education would continue to be less expensive than public school education, and there is no guarantee that is the case.

Thank you for your consideration.

Testimony of Lambertus Buurman in Opposition to HB 2217,  
Enacting the Kansas G.I. Bill for Kids  
The House Education Committee  
Wednesday, February 22, 1995

I am the pastor of the First United Methodist Church of Junction City. However, I am here as a private citizen and a tax payer who is concerned about the well-being of the educational system in the State of Kansas. I have carefully read the purported G.I. Bill for kids and wish to point out some difficulties.

Before I do, however, I wish to quote, and make a personal comment about, one paragraph from the February 15, 1994 testimony by the American Civil Liberties Union of Kansas and Eastern Missouri before this same committee regarding Bill No. 2754.

"The separation of church and state, the cardinal principle of religious liberty in this country, is violated when tax funds are used to support parochial schools where secular education is inseparable from the institution's pervasively religious purpose. Nor can government require parochial schools--including many home schools--to segregate their religious and secular content in order to confirm that any government funds are being used only for the secular content. To do so would violate the constitutionally protected religious freedom of these institutions."

On December 8th of this year I will be celebrating my twenty-fifth anniversary as a naturalized citizen of the United States. When in 1966 I announced to my American friends that I had embarked on my journey towards citizenship, many of them told me I was crazy. Our nation's involvement in Viet Nam had soured some of these young men considerably. At the time I asked myself why I

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should become naturalized when so many native sons felt otherwise. I turned to two documents--the Declaration of Independence, and the Constitution. I learned there how potentially great this nation could be if it allowed its founding documents to be its guiding principles. I decided to become a citizen. During the past twenty-five years I have been both proud and disappointed as the pendulum swings back and forth between governmental support of civil liberties and the reoccurring swing towards the denial of these same civil liberties. Whenever public funds are used to finance any part of religious instruction both religion and the state stand in danger of being diminished. Since well over 80% of all private schools are operated by religious institutions a voucher system of school financing would be de facto aid to religion, and, therefore, infringe upon the principle of the separation of church and state.

HB 2217 purports to be a bill cast in the same vein as the federal GI bill which, among other things, provides funds to veterans to attend a school of their choice. HB 2217 does not provide children the choice of schools; rather it gives this choice solely to parents or parent substitutes. Page 1, lines 15 and 16 empowers parents to exercise choice; Page 3, lines 9 and 10 effectuates "a program under which the parent...receives...a voucher;" and Page 3, lines 28 and 29 mentions the school of choice selected by the parent. These statements clearly indicate that the bill is not meant for kids, but for parents, who through their choices of largely religious schools indoctrinate their children

into their religious belief system. There is no question that parents have the right to pass their faith on to their children, but we must not allow this to happen by means of public funds.

There is one extremely disturbing line. On page 8, lines 23-25 it states that this act does not "regulate or prohibit free exercise...or practice of any nonpublic Kansas school of choice." Does this mean that private schools will be allowed to perpetrate corporal punishment and public embarrassment upon their students, when their belief system permits such practices?

This bill is intended to permit private schools to discriminate against students who do not comply with the schools' stated beliefs. Page 4, lines 22 and 23 states that "nonpublic Kansas schools of choice shall establish criteria for the admission of program eligible children." No one will deny a private school the right to establish even religious criteria. The question I raise here, however, is whether private schools should be given the right to deny entrance to persons who oppose their views, when public funds are used to pay for their education?

This act also purports to create "savings" for the state (see Sec.3(2)(c), page 3. It is true, that vouchers the first year of its enactment are to be for 50% of the amount paid by the state for students in public schools, but then the act goes on to state that these "savings" are to be placed in an account for the students' post-secondary education. Where, then, are the "savings?" As a matter of fact, the public funding of private schools in the long run will be much more expensive than the current system of

financing. Once private schools obtain public funds for curriculum and other student-generated expenses, there can then be no legal reason to deny these schools public funds for the construction of buildings, football fields, and gymnasiums. Years down the road, these imaginary savings will come to haunt us, and bankrupt the entire educational system--both public and private.

I wish to make one last comment. One reason the United States has been so successful commercially and technologically is that education has been a public affair. Early in our history we decided to be a democratic society, not one in which all its citizens conformed to one standard, but one in which all its people were provided with equal opportunity. My first eight years of schooling were in a state supported Protestant school. It took six years to enter the high school system. My cousins attended the public elementary school--it took them seven years to make it to the high-school system. The reason for this was that the religion dominated schools got rid of all slow and otherwise unwanted children. The kind of system proposed by HB 2217 will eventually turn into an elitist, nondemocratic system--one that is totally foreign to the basic principles of equality and democracy.

I urge you, members of the Education Committee, to give a resounding No to this bill and preserve the principles for which we as a people are known.

# NCJW

**National Council  
of Jewish Women**

Testimony of Barbara Holzmark  
8504 Reinhardt Lane  
Leawood Kansas, 66206  
913/381-8222

February 22, 1995

Members of the House Education Committee:

My name is Barbara Holzmark and I am here today, representing the National Council of Jewish Women, (NCJW) in opposition to HB 2217 which defines School Vouchers as the Kansas G.I. Bill for Kids.

Since our inception in 1893, the NCJW in 200 sections across the United States have implemented programs to impact the lives of people of diverse ages, races and religious backgrounds. Among our first projects in the Kansas City area were racially integrated free kindergartens, the Penny Provident Fund (taught children thrift and economy) and an industrial school to teach children from 8 - 18 to make garments for family use. In 1901, NCJW was represented in Juvenile Court. In 1933, the first scholarship was awarded to assist high school graduates to further their education. We are in our 62nd year of assisting high school graduates. In 1934, parties for the blind were inaugurated which still exist. In 1947, we established a hot lunch project which ultimately became the Nursery School Association, servicing the needs of underprivileged children throughout Kansas City Schools. In 1961 we opened a school for multiple-handicapped children and in 1964 we organized a pre-school for disadvantaged children, the first of its kind in the city. In 1969, the NCJW Day Care Center for employees of Menorah Medical Center was begun. In 1973 NCJW donated \$5,000 worth of auditory equipment for use in the Kansas City School Department for the Deaf, and we provided volunteers for "Renaissance West" a residential drug rehab center. In 1983 NCJW started the CASA (Court Appointed Special Advocates) project in Jackson County, Missouri and in 1985, NCJW started the Johnson County CASA project. In 1990, NCJW volunteers taught English as a Second Language to students in the Shawnee Mission School District.

We continue to work within the public schools and within the community where there are needs unmet by other organizations and agencies. We are continually concerned with improving the quality of life of women, children and families while striving to ensure individual rights and freedoms for all. Consequently, access to quality education is a fundamental right for all individuals and NCJW endorses and resolves to work for the appropriation of public funds for public education only. School vouchers will never bring the choice of private schools free and clear as does public schools. A voucher is only a drop in the bucket toward a goal unattainable. The reality is, while elitist schools are supported by the well-to-do, public schools care for all the students the private schools would not want--the handicapped, the emotionally disturbed, the poor, children from broken families and, among others, the children of immigrant parents whose only opportunity to learn English and so escape poverty is to attend quality public schools and

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learn the language of the land. Do we really want an educational system divided by class distinctions and economic means? Do we abandon our public schools or do we fight to reform the public school system? We face religious groups that want government subsidies for their own brand of education, and school personnel who are more concerned with self-preservation and self-promotion than student improvement. School Vouchers are not the answer. History has produced our present greatness. We must choose public education, our hope for the twenty-first century. I urge you oppose HB 2217.



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 W. 10TH STREET / TOPEKA, KANSAS 66612-1686

Craig Grant Testimony Before  
House Education Committee  
Wednesday, February 22, 1995

Thank you, Madame Chairman. I am Craig Grant and I represent Kansas NEA. I appreciate this opportunity to speak to the committee in opposition to HB 2217.

Much testimony was submitted yesterday about the positive aspects of a school voucher measure. Grand words of choice, freedom, equity, and kids have been used. I would submit to this committee that vouchers are not about choice, freedom, equity, and kids. Rather, vouchers would subsidize education elitism, set up a two-tiered school system, divide our state, and deny the certainty of opportunity for all.

HB 2217, or other voucher systems, will divert scarce public tax dollars to private schools, many of which would not be required to comply with the same "rules and regulations" as public schools. No other state has instituted such a plan. In fact, the American people have consistently defeated attempts to use public moneys to fund private schools. Since 1966, voters in 14 states have rejected the vouchers or tuition tax credit initiatives 19 different times.

In Kansas, the question has been posed in surveys a number of times and in a number of ways. The most recent survey I am aware of on the subject was in a survey commissioned by our organization last August. In a survey conducted by RMA Research, a division of Robinson & Muenster Associates, Inc., the following question was asked to 800 registered voters between August 18 through 21 of 1994:

"Do you believe that public tax dollars should be used to help support students in private or parochial schools?"



In that poll, 55% did not support that concept, 28% supported vouchers, and 6% were undecided or did not answer.

What I believe that a majority of Kansas residents believe is that vouchers do not really offer choice to parents. This "free market" approach which was being clamored for by the conferees yesterday talked about competition. This sounds good in theory but does not measure up in the real world.

Advocates for choice in Kansas and elsewhere argue that the "market system" will make all do a better job if they "compete" for business. The good sound theory does not measure up in the real world.

A voucher system like HB 2217 could quite likely decrease opportunity for students. Since our market system operates on a profit margin, schools then would naturally compete for the students who bring in the greatest "assets." The best teachers may be drawn to the schools with the greatest "profit margin."

Schools will not compete for problem or special needs students whose educational needs will cost more money. That free market system will pursue the best-behaved, brightest students so that test scores will go up and they can use that fact as their marketing tool to attract more of the brightest.

The disadvantaged child may be left out of the loop because it would be less "profitable." Quotas or limitations of students would then keep others from that choice. Any time a child is denied access (for whatever reason) to the education he or she desires, he or she is effectively denied equal opportunity.

In rural Kansas, where distance becomes prohibitive to a "choice" option, the "free market" would again be limited and those students denied equal opportunity.

A choice system could very well become the new segregation tool for parents, thus denying equal access to education for special needs, poor, and rural children. When regulations are added to the voucher system to guarantee technical constitutionality, further problems with integration and equal opportunity arise. Judge Terry Bullock indicated that our obligation was to each child equally. Choice systems counteract that obligation.

We must, as an alternative to vouchers, continue to improve our present system which tries to address individual variances of children. Improving all schools, having schools work together for the good of students, and placing all students in an environment where they can best learn should be our goal.

Lewis Finch makes the point well--"...want us to operate schools like businesses. They can carefully select their raw materials to produce...the best Oreo cookies in the world. But out behind the plant is a pile of refuse...of those who don't qualify. Is that the kind of school system we want for America? I think not."

In the guise of helping to improve education, a major effort is underway throughout the country to replace our system of public schools, which are open to all children, with voucher systems that would transfer scarce dollars to private schools, which are selectively available only to some children.

Education is too important for us to create winners and losers in our children. Keep the free market system somewhere else. We ask you to defeat HB 2217.

Matt Grogger, February 22, 1995

Madame Chair and members of the house, I first want to thank you for the opportunity to discuss this very important issue with you.

I wear two hats today, I am a member of the BOE of BVUSD 229 and as you are undoubtedly aware, every school district in Johnson County adopted legislative positions opposing the expenditure of public funds for private schools. While that probably isn't too surprising to anyone, I think it is important that we discuss the reasons why these positions were adopted. Proponents of this bill would lead you to believe that we oppose spending public funds for private schools because it takes money from the public schools. That may be a small part of the reason, but I don't believe it is a major reason since we have excellent schools, excellent parent participation and parental support for our schools -- so by Representative O'conner's own words in her testimony yesterday, "good schools do not stand to loose any students to private schools under the provisions of my bill".

I am also a member of the board of the MAINstream coalition, and chair of their research committee. So while the position paper I have left at your places is from the MAINstream Coalition, I want to back up and discuss this issue from a more analytical posture.

I am an Engineer by education and experience and after listening to some of the testimony yesterday, I believe it is essential that we step back and objectively analyze this proposal. Yesterday's testimony was filled with emotional pleas and anecdotal examples of how private schools have helped various students. There is no doubt in my mind that the examples are real and happened as represented. However, that is not the root concern of this issue.

What I believe is the root cause of this problem is that these good people have exercised their choice to attend private schools and are now trying to have the public help pay for their decision.

They have every right to choose private schools for their children, but it does not follow that public money should be used to fund their decision. They are trying to justify this public funding by saying the public schools do not provide the education they want for their child. One would suspect that that was the reason for the choice in the first place and they made the decision to go to private schools anyway. Therefore, it appears to me that they have confused **education with indoctrination**.

Since the proponents have mask or muddied the real issues, it is time to clarify some of the terminology being tossed around.

The American Heritage Dictionary defines **educate** as: To develop the innate capacities of, especially by schooling or instruction, to provide with information, to inform, to bring to an understanding or acceptance.

It defines **Indoctrinate** as: To instruct in a body of doctrine or principles, to imbue with a partisan or ideological point of view.

**private** is defined as: "Not available for public use, control, or participation. 4.a. Belonging to a particular person or persons, as opposed to the public or the government. b. Conducted and supported primarily by private individuals or by a non-governmental agency or corporation. c. Of, relating to, or derived from non-government sources.

and last **public** is defined as: Participated in or attended by the people or community. 5. Connected with or acting on behalf of the people, community, or government. 6. Open to the knowledge or judgment of all

Using these definitions, I submit that the legislatures, courts, and yes the constitution, have established and maintained the separation of public schools and private religious schools because, while the private schools do educate students, they also indoctrinate them in particular ideological points of view.

The legislatures and courts have very correctly prohibited the public schools from espousing particular ideological points of view in the classroom and at public school functions. Therefore, it would be morally and intellectually dishonest to now say that through voucher allocation of public funds, it is all right for some publicly funded schools to indoctrinate their students but its not OK for others.

My dad used to tell me that "if you are going to dance, you have to pay the fiddler". That would say that if private schools are going to get public funds then they should also have to comply with the regulations and controls that have been placed on public schools. In conversations with Representative O'conner about QPA she has stated that "we must have accountability from our schools", (we do agree on one thing) yet she is advocating providing public funds for private schools where **the public has even less accountability; and she has provisions in the bill to waive qualifications for teachers that would at least provide a modicum of assurance that the funds were being used well!** That just doesn't compute in the analytical and problem solving methodologies I'm familiar with. The way the bill is presently drafted the only beneficiaries would be home schoolers.

I urge you to maintain the distinctions that correctly exist between public and private schools by disapproving this bill. Allocation of public money for private schools would imperil the "privacy" of those schools, as well as reduce funding for already financially strapped public schools. Thank you.

# LEGISLATIVE ISSUES

January 1995

MAINstream Coalition

## VOUCHERS FOR PRIVATE SCHOOLING

By Matt Grogger

*"a tax supported payment to assist in the education of a qualifying child"*

*The choice of the word competition and the unwillingness to have all contestants following the same rules is a strong indication that there is intent on the part of proponents to weaken and eventually destroy the public school system that has been a major factor in America's greatness.*

The "voucher" proposals and legislation introduced to date can be defined as "a tax supported payment to assist in the education of a qualifying child". All involve an expenditure of tax moneys, and all initially have some qualifications for determining eligibility for assistance. Most of the proposals attempt to remove any prerequisites or qualifications for the education provider (except public schools would continue to be required to comply with all current regulations and mandates).

### **Proponents of school vouchers contend that:**

1. Public schools would benefit from competition. Public schools could be stimulated to do better by giving their pupils a choice to attend non-public schools at public expense.
2. It would just be simple justice. Parents who choose to send their children to private schools are "taxed double" because they have to pay private school tuition as well as taxes to support public schools.
3. It is constitutional since the money would flow to parents of all children to use as they may choose. Since it does not go directly to sectarian schools, it is not a benefit to religion and therefore does not violate the Establishment clause of the First Amendment.
4. Giving parents a choice between public and private schools would increase accountability in all schools.
5. Private school vouchers would cost the public less and would improve educational quality in all schools.

### **Opponents of vouchers respond that:**

1. Competition is defined in the dictionary as a "struggle with others for victory or supremacy". The choice of the word competition and the unwillingness to have all contestants following the same rules is a strong indication that there is intent on the part of proponents to weaken and eventually destroy the public school system that has been a major factor in America's greatness. Beyond that, there are at least two major flaws in the claim that competition would improve all schools.
  - 1) Real competition has to have all players observing the same set of rules -- Private schools select their students on whatever basis the directors of that institution determine appropriate, while public schools must accept all applicants. The Private schools will be unwilling to comply with that same restriction -- i.e. would a religious school be willing to hire teachers and accept students of another religious persuasion?
  - 2) The free market model is not appropriate for

*Double taxation is a myth! The parents currently choose to send their children to private schools*

*private schools do not have to account to the public, not for their admissions and discipline policies, not for the nature or the quality of their educational programs, nor for how they spend their funds nor for their academic results*

**Representative O'Conner's bill will only benefit home schools.**

education because it will leave too many children unserved. Children from disadvantaged neighborhoods will suffer most because there would be no incentive to locate schools in those areas. This is demonstrated by the lack of commercial facilities in those neighborhoods now.

2. Double taxation is a myth! The parents currently choose to send their children to private schools, and the preponderance of the data from studies comparing public to private schools show that private schools are not academically superior to public schools. Therefore parents have bought into the myth that private schools are better, or they are sending their children to private schools for other than academic reasons. Public subsidies of private schools is in fact taxation without representation since no publicly elected and accessible official is accountable for the use of those funds.
3. There is no question whatever that the primary beneficiaries of any voucher legislation for non-public schools would in fact be religious and home schools. Some of these sectarian schools, especially fundamentalist academies teach religious dogma in science classes and offer a skewed version of American history that is designed to indoctrinate, not educate. These goals should not be supported with public funds.
4. At the present time, private schools do not have to account to the public, not for their admissions and discipline policies, not for the nature or the quality of their educational programs, nor for how they spend their funds or their academic results. And this is appropriate since private funds are paid to obtain religious or other non-academic training which public schools cannot and should not provide. Public schools, on the other hand, must adhere to all public laws and policies related to standards, access, curriculum, teacher certification, non-discrimination and separation of church and state. If public funds are to be used to support private and home schools, they must be required to conform to the same laws and policies as public schools.
5. Providing public funds for private schools cannot possibly reduce the cost of education for taxpayers unless money is taken from the public schools. Even in the plan presently before the Kansas House of Representatives, the cost savings to the state claimed by Representative O'Connor is based on illogical assumptions about the composition and quantity of students that will be eligible and can use the vouchers. The bill proposes that only those eligible for free lunches will be eligible the first year, yet she estimates that it will save the state 5 to 50 million dollars. At \$1800 per student, there are not enough students that are eligible for free lunches that would have access to private schools. Also if they are eligible for free lunches, the parents obviously could not afford the difference between the cost of tuition and the value of the voucher. This claim of savings is based on such unlikely combinations of circumstances that the probability of them occurring is very minute. It is for this reason that Representative O'Conner's bill will only benefit home schools.

Dear Committee Members:

I would like to take this opportunity to go on record as opposing HB 2217 regarding school vouchers in Kansas. I am certain that one of the arguments you will hear in support of this bill is fairness. As in all debates, there are two sides to the issue. I would like to present an aspect which may not readily present itself to you.

I am a practicing Catholic in a parish which has a parochial school. I contribute money to the support of the parish and am actively involved in various aspects of the parish. My children do not, however, go to the parochial school because they were kicked out when my son was in first grade and my daughter in third. You see, my daughter is emotionally disturbed and my son is hyperactive. This means that both of them can cause problems at times. At the time we were told they would not be allowed to return, my son had not yet been diagnosed. My daughter was seeing a psychologist once a week at that time, and she will be seeing him once a week for many years to come.

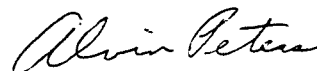
Even after that, I continue to contribute money to the parish but not to the parochial school. However, since not enough money is contributed to the school for it to operate; money is taken from the parish and given to the school. Thus, some of my money is going to support the school which my children are not allowed to attend. Now there are people who want my taxes to go to the support of that school.

Supporters of this bill say that it is unfair that they pay taxes to support the public schools when they choose to send their children to private schools. They say it is unfair that they do not have a choice where their money goes. I say it is unfair for my taxes to support a school my children are not allowed to attend. This bill does not require private or parochial schools to accept all students; it does not require those schools to offer services to children with learning problems. It merely gives them money to educate the children they choose to educate.

This is called a parental choice bill. Where is my choice?

This is called "The Kansas G.I. Bill of Rights for Kids." This is an allusion to World War II. My children were physically and emotionally abused before S.R.S. took them out of the home in 1985. They have been through the war zone, but they are not included in the "G.I. Bill of Rights for Kids." This "G.I. bill" only applies to the ones who never saw a battle.

Supporters say this is a question of fairness, and it is. How is this fair to my children?



Alvin Peters  
124 W. 6th St.  
Garnett, KS 66032-1402

House Education  
Attachment 29  
2-22-95



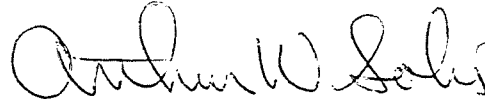
WRITTEN TESTIMONY  
Submitted To The  
**HOUSE COMMITTEE ON EDUCATION**  
FEBRUARY 22, 1995

RE: House Bill No. 2217, "AN ACT enacting the Kansas G.I. Bill for Kids."

HB 2217 as written does not prohibit a private elementary or secondary school in its admission criteria from discriminating against children on the basis of their race, national origin or ancestry. Therefore, I oppose HB 2217 for the reason that this act may provide state funds to private elementary or secondary schools which discriminate on the basis of race, national origin or ancestry in their admission criteria.

HB 2217 as written does not prohibit a private elementary or secondary school from discriminating in its programs and services or segregating children on the basis of race, national origin or ancestry. Therefore, I oppose HB 2217 because this act may provide state funds to private elementary or secondary schools which discriminate or segregate on the basis of race, national origin or ancestry in their programs and services.

Respectfully Submitted,



Arthur W. Solis  
215 North Normandy  
Olathe Kansas 66061  
[H] (913) 782-1613

House Education  
Attachment 30  
2-22-95



DIVISION OF THE BUDGET  
Room 152-E  
State Capitol Building  
Topeka, Kansas 66612-1504  
(913) 296-2436  
FAX (913) 296-0231

Bill Graves  
Governor

Gloria M. Timmer  
Director

February 21, 1995

The Honorable Rochelle Chronister, Chairperson  
House Committee on Education  
Statehouse, Room 446-N  
Topeka, Kansas 66612

Dear Representative Chronister:

SUBJECT: Fiscal Note for HB 2217 by Representatives  
O'Connor, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2217 is respectfully submitted to your committee.

HB 2217 would require the State Board of Education to establish a program under which the parent of any eligible child may apply for and receive a voucher to be redeemed for payment of the costs of enrollment of the child at a Kansas school of choice selected by the child's parent. Schools of choice include public and nonpublic schools that have opted to accept vouchers. Nonpublic schools include both accredited and nonaccredited elementary and secondary schools. The program would be phased in beginning in FY 1996 and fully implemented by FY 2001.

Eligible children include students who choose to attend nonpublic schools or public schools located outside the student's school district, including: (1) in school year 1995-96, students who attended public schools in 1994-95 and are eligible for free meals; (2) in school year 1996-97, all students eligible for free lunches regardless of whether they were last enrolled in public or nonpublic schools; (3) in school years 1997-98, 1998-99, and 1999-2000, all students eligible for free or reduced cost lunches; (4) in school years beginning with 2000-01, all students, regardless of eligibility for free or reduced price meals. Students attending a private school would be required to demonstrate academic improvement according to the state assessments.

House Education  
Attachment 31  
2-22-95

The bill provides that the amount of the vouchers would be equal to a percentage of the base state aid per pupil (BSAPP) and that vouchers for special education students would be 1.5 times as much as the vouchers for regular education students. Calculating from the base state aid per pupil of \$3,630 recommended by the Governor for FY 1996, the voucher amounts over the next six years would be as follows:

	<u>Percent of BSAPP</u>	<u>Regular Students</u>	<u>Spec. Ed. Students</u>
FY 1996	50	\$1,815	\$2,723
FY 1997	60	2,173	3,267
FY 1998	70	2,541	3,812
FY 1999	80	2,904	4,356
FY 2000	90	3,267	4,901
FY 2001	100	3,630	5,445

Students would have to show individual academic improvement based on a norm-referenced test to continue to receive a voucher. Enrollment costs at schools of choice could not be greater than the amount regularly charged other students. If the voucher amount is in excess of the costs of enrollment, the State Board is to remit the excess to the State Treasurer for deposit into a trust fund to be used to pay the tuition and fees of the child at a Kansas postsecondary institution.

The bill also specifies that in FY 1997 the State Board award vouchers to parents of eligible children who attended nonpublic schools in FY 1996 in the order in which applications are received and only until the amount of savings realized by the state from maintenance of the program in FY 1996 is depleted. In the first year of the program (FY 1996), the State Board is to establish a procedure for ensuring that no school district experiences an enrollment reduction greater than the percentage specified in the bill according to the size of the district.

The FY 1996 fiscal impact of HB 2217 involves basically two issues, as follows:

1. Paying for vouchers for eligible students who either currently attend public school outside their home district or would transfer to a school in a different district. (The bill creates an incentive to transfer by offering to deposit any portion of the voucher amount not used to pay the costs of enrollment into a trust fund to pay postsecondary school expenses.)
2. Paying for vouchers for eligible students who currently attend public schools but who would transfer to nonpublic schools. This issue also involves a reduction in state

aid to public schools for students who choose to transfer.

An additional issue arises beginning in FY 1997 when vouchers begin to be provided for eligible students who currently attend nonpublic schools.

The estimated state fiscal impact of HB 2217 is to increase State General Fund expenditures by \$1.7 million in FY 1996, \$13.0 million in FY 1997, \$23.0 million in FY 1998, \$24.4 million in FY 1999, \$25.8 million in FY 2000, and \$199.4 million in FY 2001. These amounts are in addition to those included in *The FY 1996 Governor' Budget Report*. Attachment A provides a breakdown of the costs and savings expected from this bill.

Attachment B is provided by the Department of Education to indicate its assumptions and calculations in determining the fiscal impact of HB 2217. The following assumptions were made in developing the fiscal impact of this bill:

1. Students would transfer from public to accredited nonpublic schools at an annual rate of 1.75 percent for the next five years. In the final year of the phase-in (FY 2001), the rate would increase to 3.0 percent. This estimate was made jointly by the superintendents of the four Catholic diocese school systems in Kansas and the Department of Education. (These four school systems enroll approximately two-thirds of all students attending nonpublic schools in Kansas.)
2. Students would transfer from public to nonaccredited, nonpublic schools at an annual rate of 2.0 percent for the first two years of the program, 3.0 percent for the next three years, and 5.0 percent in the final year of the phase-in. This estimate was made based on a discussion between a representative from nonaccredited, nonpublic schools and the Department of Education.
3. The annual increase in students living in one school district and attending school in another district would be 3.0 percent. Currently, 8,500 students attend school outside their home districts, as reported by school districts on their Superintendent's Organization Report.
4. The percentage of students eligible for free meals in Kansas public schools is 23.96 percent. The approximate portion in nonpublic schools is 15.0 percent.
5. The percentage of students eligible for reduced price meals in Kansas public schools is 7.74 percent. The approximate portion in nonpublic schools is 7.0 percent.

The Honorable Rochelle Chronister, Chairperson

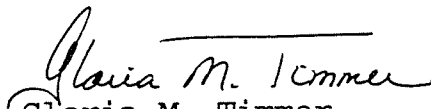
February 21, 1995

Page 4

6. Special education students would transfer from public to nonpublic schools at an annual rate of 2.5 percent of total enrollment. Currently, special education students make up approximately 10.0 percent of public school enrollments.

Operating expenses associated with this bill are expected to total \$83,833 from the State General Fund in FY 1996. The Department of Education believes that processing vouchers, keeping records for students who do not show improvement, and administering refunds would require an additional 2.0 FTE staff, including an Education Program Consultant and a Secretary I. Salaries, benefits, and related operating expenses would total \$81,333. The bill also requires the State Board to conduct an audit to determine the savings realized each school year. The estimated annual cost of this audit would be \$2,500 from the State General Fund.

Sincerely,

  
Gloria M. Timmer  
Director of the Budget

cc: Dale Dennis, Education

2217

Attachment A: Estimated Fiscal Impact of HB 2217, FY 1996 - 2001

	<u>FY 1996</u>	<u>FY 1997</u>	<u>FY 1998</u>	<u>FY 1999</u>	<u>FY 2000</u>	<u>FY 2001</u>
Vouchers for Current Nonpublic School Students	\$ --	\$13,728,011	\$24,698,640	\$28,832,364	\$33,140,573	\$185,297,706
Transfers of Public School Students to Nonpublic Schools						
Reduction in State Aid to Public Schools	(3,476,088)	(7,183,044)	(11,647,944)	(16,217,388)	(20,891,376)	(28,984,824)
Vouchers for Nonpublic School Education	<u>1,466,530</u>	<u>1,872,197</u>	<u>2,637,571</u>	<u>3,084,048</u>	<u>3,549,609</u>	<u>6,829,119</u>
Net Effect of Transfers to Nonpublic Schools	(2,009,558)	(5,310,847)	(9,010,373)	(13,133,340)	(17,341,767)	(22,155,705)
Vouchers for Students Attending Public Schools Outside Their District of Residence	<u>3,743,463</u>	<u>4,615,842</u>	<u>7,354,960</u>	<u>8,656,824</u>	<u>10,032,995</u>	<u>36,216,510</u>
Estimated Cost of HB 2217	\$1,733,905	\$13,033,006	\$23,043,227	\$24,355,848	\$25,831,801	\$199,358,511

PROJECTED COSTS OF STATE VOUCHERS UNDER HOUSE BILL 2217

3/6

	1995-96 Students		1996-97 Students		1997-98 Students		1998-99 Students		1999-2000 Students		2000-01 Students	
	Nonpublic	Public	Nonpublic	Public	Nonpublic	Public	Nonpublic	Public	Nonpublic	Public	Nonpublic	Public
Est. Enroll. Accredited *	30,918	---	31,459	---	32,010	---	32,570	---	33,140	---	34,134	---
Est. Enroll. Nonaccredited **	15,500	---	15,810	---	16,284	---	16,773	---	17,276	---	18,140	---
Total Est. Enrollment	46,418	---	47,269	---	48,294	---	49,343	---	50,416	---	52,274	---
Est. no. of students who would go from public to private schools	798	---	851	---	1,025	---	1,049	---	1,073	---	1,858	---
Percent of free meals ***	---	23.96	15.0	23.96	15.0	23.96	15.0	23.96	15.0	23.96	---	---
Percent of reduced price meals ***	---	---	---	---	7.0	7.74	7.0	7.74	7.0	7.74	---	---
Est. students attending a USD other than district of residence (3%)	---	8,500	---	8,755	---	9,018	---	9,288	---	9,567	---	9,854
Est. no. of eligible students (excluding special education)	778	1,986	6,913	2,046	10,359	2,788	10,584	2,870	10,815	2,957	50,967	9,608
Est. no. of special education (2 1/2% of total)	20	51	177	52	266	71	271	74	277	76	1,307	246
TOTAL	798	2,037	7,090	2,098	10,625	2,859	10,855	2,944	11,092	3,033	52,274	9,854
State appropriation	\$1,466,530	\$3,743,463	\$15,600,208	\$4,615,842	\$27,336,211	\$7,354,960	\$31,916,412	\$8,656,824	\$36,690,182	\$10,032,995	\$192,126,825	\$36,216,510
Total appropriation	\$5,209,993		\$20,216,050		\$34,691,171		\$40,573,236		\$46,723,177		\$228,343,335	
State savings - less declining enrollment provision	(\$3,476,088)		(\$7,183,044)		(\$11,647,944)		(\$16,217,388)		(\$20,891,376)		(\$28,984,824)	
Net est. state cost	\$1,733,905		\$13,033,006++		\$23,043,227		\$24,355,848		\$25,831,801		\$199,358,511	
Amount per pupil												
regular educ.	1,815		2,173		2,541		2,904		3,267		3,630	
Special educ.	2,723		3,267		3,812		4,356		4,901		5,445	

\* The estimated enrollment was increased by 1 3/4% for the 1995-96 through 1998-99 school years and 3% for the 1999-2000 school year.

\*\* This is strictly an estimate. The increase was based on 2% for 1996-97, 3% for 1997-98 through 1999-2000 and 5% for 2000-01.

\*\*\* Based on 1993-94 data for public schools. Private school figures were estimated by representatives of private schools.

++ We would specifically call your attention to Section 3(d)(1) which states that during the 1996-97 school year the State Board of Education would only award vouchers to parents in the program with eligible children who attended nonpublic schools in the 1995-96 school year in the order in which the applications are received and until the amount of savings realized by the state due to maintenance of the program in the 1995-96 school year is depleted.