

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 March 7, 1995 in Room 519-S of the Capitol.

All members were present.

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

Conferees appearing before the committee:

Mark Tallman, KASB
Jane Adams, Director, Keys for Networking
Chad Singleterry, Topeka
Tina and Patrice Heptinstall, Lecompton
Gwain and James January, Pittsburg

Others attending: See attached list

Representative Horst moved and Representative Morrison seconded motion to approve minutes of February 13, February 14, February 15 and February 16. Motion carried.

Hearings opened on **SB 1 concerning short-term suspensions from school.**

Mark Tallman, representing Kansas Association of School Boards, spoke in support of **SB 1**. Three major benefits of this legislation are: 1) would allow school personnel more flexibility to quickly remove dangerous, disruptive students from the classroom, helping to achieve safer, more orderly schools, 2) by lengthening the maximum short-term suspension from five to ten school days, Kansas schools would be in compliance with federal special education law, which allows for ten day suspensions, 3) the bill makes clear that a student cannot delay the hearing process by refusing to attend. (Attachment 1)

Gerald Henderson, representing United School Administrators, supplied written testimony in support of **SB 1**. (Attachment 2)

Jane Adams, Director, Keys for Networking appeared in opposition to **SB 1**. School suspension points one of the places in the community where an "at risk" child moves from "at risk" to "risked." The Senate just recommended closure of a Mental Hospital -- so kids can't go there. Now **SB 1** proposes that children who are misbehaving, children who are having trouble coping--with school, with home, with something--are now just out of school. There is nothing happening during the time of suspension to help kids so they won't be suspended a next time. (Attachment 3)

Chad Singleterry, Topeka, one of five people with direct experience with school suspensions spoke in opposition to **SB 1**. Chad has finally turned his life around because of the educational opportunity at Youth Center in Topeka.

Tina Heptinstall, Lecompton, appeared in opposition to **SB 1**. Her daughter, Patrice wrecked the family car while she was suspended. The mother stated the additional five days simply gave the child more time to get in trouble.

Gwain January and son, James, Pittsburg, appeared in opposition to **SB 1**. James, age 10, had recently been suspended for throwing a pencil box against the wall. He had received several other suspensions for inappropriate language and throwing his coat at a teacher. The father stated when the boy is suspended one of the parents must stay home from work to care for James. The father claimed the school had not provided James with any counseling program nor was he allowed to make up school work.

The floor was opened to questions from the committee.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION, Room 519-S Statehouse, at 3:30 p.m.
on March 7, 1995.

This concluded hearing on SB 1.

Discussion and action on SB 317 opened. Representative Morrison moved and Representative Horst seconded motion to pass bill favorably. Motion carried.

The meeting adjourned at 5:00 p.m.

The next meeting is scheduled for March 8, 1995.



TO: House Committee on Education
FROM: Mark Tallman, Director of Governmental Relations
DATE: March 7, 1995

RE: **Testimony on S.B. 1**

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to appear today as a proponent of S.B. 1, concerning short-term suspensions from school. We see three major benefits of this legislation.

First, it would allow school personnel more flexibility to quickly remove dangerous, disruptive students from the classroom, helping to achieve safer, more orderly schools.

Second, by lengthening the maximum short-term suspension from five to ten school days, Kansas schools would be in compliance with federal special education law, which allows for ten day suspensions. Under current law, if Kansas educators believe a special education student should be suspended for that ten day period, they must go through the procedure required for a long term suspension.

Third, the bill makes clear that a student cannot delay the hearing process by refusing to attend.

We urge your favorable consideration of this bill.

*House Education
Attachment 1
3-7-95*



SB 1

Testimony presented before the House Committee on Education
by Gerald W. Henderson, Executive Director
United School Administrators of Kansas
March 7, 1995

Madam Chairman and Members of the Committee:

United School Administrators of Kansas welcomes the provisions of **SB 1** which clearly outline the consequences when students or parents fail to show up at scheduled disciplinary hearings. We believe that this change to the law in no way relieves school administrators from the responsibility to take reasonable precautions to ensure that parents are indeed notified of such hearings.

The change in the definition of short term suspension from five to ten days should allow for more flexibility in dealing with discipline problems in schools, and as such we would support the change.

LEG/SB1

*House Education
Attachment 2
3-7-95*

House Committee on Education

March 7, 1995

Representative Chronister, Members of the Committee:

My name is Jane Adams. I am Executive Director of Keys for Networking, Inc. I am appearing today on behalf of Keys and the parents Keys represents. Keys is a statewide organization, operating since 1988 to support and mobilize families with children with emotional and behavioral disabilities through training, education, advocacy, and systems change. Keys is managed by a Board of Directors, the majority of whom are parents of children who have serious emotional and behavioral problems. The work of Keys is to assist families help their children. We advocate for family, child and youth services within the community so families can get the help they need to raise their children in their homes.

Today, I represent families from 32 support groups and parent contacts which include the communities of Abilene, Chanute, Hays, Independence, Kansas City, Parsons, Pittsburg, Topeka,, Wichita.

I am here to represent those families in opposing Senate Bill 1 which increases the length of school suspension from five to ten days.

As you study this problem, I ask you to listen to youth and families who have experience with this issue. School suspension points one of the places in the community where an at risk child moves from at risk to risked. As you make decisions to design, redesign school punishments, school programs for non-compliant children, I ask you to consider family and community needs to serve children. I ask you to consider the impact of one agency in a community refusing to serve a child. The others have to pick this up.

I ask you to consider the community responsibility to accommodate children who are no longer eligible to attend school. Who will be responsible for children who cannot attend school? As a Keys employee, I was called in October to Great Bend by SRS because a child had just received a long term suspension. His name is Justin Pilgrim. Justin's mother is not here today because of the weather. She has asked me to tell you her story. A condition by SRS in Great Bend for Justin to live at home was his attendance at school. Because of his suspension, he could no longer live at home. According to SRS in Great Bend, no foster family would accept him, because they were not prepared to manage a 24 hour placement. Justin, unless alternative school arrangements could be made, would be moved out of his community.

I ask the Committee, I ask this legislative body to consider the issues: the Senate just recommended the closure of a Mental Hospital—so kids can't go there. Now Senate Bill 1 recommends schools decrease the time that children should be in school. Senate Bill 1 proposes that children who are



Keys for Networking, Inc.

The State Organization of the Federation of Families for Children's Mental Health

House Education
Attachment 3
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misbehaving, children who are obviously having trouble coping—with school, with home, with something—are now just out of school—where are they though? What happens during the suspension, as a result of the suspension to help these kids so they won't be suspended the next time. The answer is ABSOLUTELY NOTHING!

What happens to children and teenagers during these out of school days. I have with me today, four people, two young adults and two parents who will speak to 1) their difficulties, their documented attempts to keep their children in school and 2) the difficulties encountered by these children when they have no program. Suspension is not a program for children. **It is the withdrawal of programs for children.** Precisely at the time when children need services, guidance and attention from adults, precisely at the time when children have called for attention, the major child serving agency—the school—just withdraws services. This just doesn't make sense. And there is no mechanism in place in any Kansas community for other agencies to automatically pick up these children.

We, families and children appear before you today to oppose Senate Bill 1. We ask you instead to

1. Support community programming for children, to Support Mental Health Reform. Kansas has been involved in Mental Health Reform since 1992. Mental Health Reform is built on the premise that building community-based services will serve as an alternative to expensive out-of-home, out-of-community psychiatric hospitalization placements for children. The real intent of mental health reform was to save the state money. To date in this legislative session, we have witnessed decreasing programs, we have witnessed the Select Committee on Juvenile Crime study the need for alternatives to Youth Centers, for programming to help avert youth from detention facilities, for alternative to public school programs.

2. Support coordinated programming for children in their home communities. Support with resources and directives, cohesive programming in communities.

When one agency doesn't, can't or won't deal with a child, another has to.

These children don't just disappear. According to the KU evaluation report , February 1995, prepared for Social, and Rehabilitation Services, Mental Health and Retardation Services, by the Office of Social Policy Analysis with Topp Consulting Corporation, "Parents feel alone" when their children get into trouble. Topp interviewed parents, mental health providers, school administrators in all three catchment areas, including the Larned State Hospital Catchment area. Those people report, I quote from the report:

...Special education administrators said that services provided by community mental health centers in some areas have been effective in managing children at school.Where services were available, special education administrators were unanimously positive about the assistance they received from their community mental health centers. Court service officers reported that case management has produced positive outcomes for children. A Court service officer testified that case management has produced positive outcomes for children...her only complaint about case management was that it was not available to more children...



When services are not provided, administrators are concerned that children enter SRS custody, the juvenile justice system or become runaways. (p. 69).

I think we're seeing more children fall over in. . .youth services and the juvenile services side . . .When you think about the detention centers that we're building across the state. I think we're just. . .looking at another responsibility for a lot of these kids and it's with the juvenile system.

We're losing a lot of kids. . .they may be on the streets.

Administrators speculated that some of the children who do not acquire services at home or in their school may experience profound consequences.

Thank you for the opportunity to allow us to speak to you today. I have with me five people. All have direct experience with school suspensions.

Chad Singleterry, Topeka.

Chad was released from the Youth Center at Topeka in December.

Tina and Patrice Heptinstall, Lecompton, Kansas

Patrice wrecked the family car while she was suspended.

Gwain and James January, Pittsburg, Kansas

James, age 10 suspended for throwing pencil box against the wall

Summary: We ask you to vote against SB 1. At a time when agencies within communities need to be coordinating, sharing, planning services, SB 1 simply allows schools to pull out of the helping equation. Keys for Networking stands against this kind of program isolationism—Kansas citizens can no longer afford such single thinking and one goal decision making. We know the answer to working with children in Kansas is not to refuse them service. Kids have a way of demanding service—somebody will have to serve them—if not in school (and not necessarily by school alone) maybe SRS, Court Services, the police.

Jane Adams, Ph.D.
Interim Executive Director
Keys for Networking, Inc.
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training

Keys for Networking provides training to parents and professionals in:

- ▲ Individualized planning and service delivery
- ▲ Culturally competent programming
- ▲ Parent professional collaboration
- ▲ Funding mechanisms to support family-centered planning
- ▲ In-home crisis intervention
- ▲ IEP's which address the needs of children with emotional and behavioral disorders
- ▲ 504 accommodation plans
- ▲ Due Process Hearings and 504 complaints
- ▲ Interpreting test scores to evaluate progress

Have professionals used any of the following terms in talking with you?

- Conduct Disorder
- Behavioral Disorder
- Attention Deficit Disorder
- Developmental Disorder
- Manic Depression
- Hallucinations
- Anorexia/Bulimia
- Anxiety Disorder
- Schizophrenia
- Psychosis
- Delusions
- Attachment Disorder

If any of these terms apply to your child, you are not alone. Parents are often frustrated by complicated mental health, SRS, school, and court systems in a search for the right kind of care for their child. There is help.

information

Keys for Networking, Inc. staff are available to answer your calls and provide you with information that is accurate and specific to your situation.

3-4

SRS & Mental Health

- ▲ How will services help my child? What about my other children?
- ▲ How will we know the services are working?
- ▲ Will my child need these services for a long time? How long?
- ▲ How will my child get to these services?

Juvenile Courts

- ▲ Have the persons who approved this placement actually seen the program?
- ▲ What have been the outcomes for youth in this placement?
- ▲ What behaviors might my child learn from others in this placement?
- ▲ How will we know whether the program is working? Who decides?
- ▲ Will my child have an attorney?
- ▲ Will I have an attorney?
- ▲ How often can I see my child?

Medical Providers

- ▲ What results can I expect from the medications?
- ▲ What will happen to my child if he/she refuses the medication?
- ▲ How does the medicine work?
- ▲ How long might my child need to take the medicine?

School Services

- ▲ What are the ages, abilities of students in the program? Are they similar to my child?
- ▲ What kind of tests will my child need? What do you expect to find?
- ▲ Are the tests appropriate based on my child's disability? My child's race? My child's culture?
- ▲ What if I don't agree with the testing results? with the placement?

advocacy

support

referrals

Keys for Networking will:

- ▲ Assist and support you in accessing services to meet your child's real needs
- ▲ Advise you in protecting your rights and those of your child
- ▲ Design individualized delivery for needed services
- ▲ Accompany you to meetings when necessary to assure your child's needs are met
- ▲ Introduce you to other families who have children with emotional and behavioral problems
- ▲ Recruit you to participate on local and state councils to represent the needs of families and children
- ▲ Inform you of state and national issues which need your response
- ▲ Coordinate and collect your responses so family voices are heard at state and local levels

3-5

Do you ever feel frustrated, alone or confused?

Let us help you develop a support group for caregivers in your community whose children are experiencing emotional, behavioral, learning or social difficulties. Joining a support group will give you:

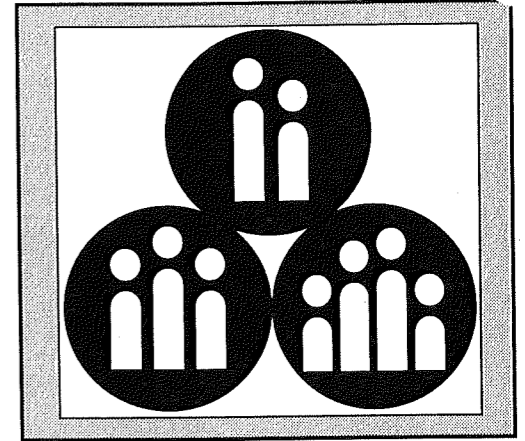
- ▲ Opportunities to share experiences, concerns, feelings
- ▲ Information on how to access local services and skill-building
- ▲ Activities to increase your family's capacity to manage

To find out the nearest support group, support contact person, or to develop a new support group in your area, call (800) 499-8732.

Keys for Networking, Inc. staff will help connect you to local and state resources and providers to help you meet the needs of your child.

Call (800) 499-8732 to locate services, to ask for help when you are unable to secure needed services on your own, and to get information.

Keys staff will link you to services and to other families who can support your efforts.



The State Organization of the Federation of Families for Children's Mental Health

We believe families of children with emotional and behavioral disabilities make good decisions when they have good information. We can help you get the information you need to make informed choices.

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