

Approved: March 21, 1996
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Barbara Lawrence at 1:30 p.m. on February 20, 1996 in Room 526-s of the Capitol.

All members were present except:

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

Conferees appearing before the committee: Jack Skillett, Professor Educational Administration
Dr. Michael Kasnic, Principal Emporia State University
Margaret Davidson, Teacher @ Butcher Children's School
Lori Mareska, Teacher @ Butcher Children's School
David Hurlocker
Letitia Bernard
Dr. Sharol Little, Superintendent Winfield School
Agnes Stephen

Others attending: See attached list

SB 606: Authorizing the establishment of state charter schools

Dr. Jack Skillett stated that he is supportive of charter schools but provided several changes that he feels would help make the bill stronger (Attachment 1).

Dr. Michael Kasnic addressed the committee as a proponent of **SB 606**. He stated, that under **SB 606**, charter schools pose no threat to public schools or public school funding; they are themselves public schools. And despite the contention of critics that charter schools lack accountability, the process for addressing and correcting problems is actually much swifter for charters than for traditional public schools. First, every charter school must agree to a performance contract with the state that requires them to meet the standards they have proposed; if they don't meet these achievement levels, their charter is simply revoked. If they are not are not fiscally sound, they are shut down. If they violate any civil, safety or health codes, they are put out of business. That is more accountability than is either required of or visited upon traditional public schools (Attachment 2).

Margaret Davidson addressed the committee as a proponent of **SB 606**. She stated that she would like to spend her time and energy learning what is working well with today's children and developing strategies that utilize this knowledge with the understanding that I will be able to try them. This bill would allow that, while still holding her accountable for making sure that the children from whom I am responsible are learning what they need, to become thinking, responsible, educated citizens (Attachment 3).

Lori Mareska addressed the committee as a proponent of **SB 606**. She stated that as a professional, she feels that the opportunities provided through the charter school would benefit the student performances. As new and better teaching strategies come along, the teachers want to be able to change them immediately and not wait. She sees this bill as being a "team effort" on behalf of faculty, staff, parents and students (Attachment 4).

David Hurlocker addressed the committee as a proponent of **SB 606**. He stated that as a parent he is in favor of charter schools because it will remove bureaucratic hurdles, direct empowerment and accountability of parents and teachers, innovation encourage instead of conformity and wise management of tax revenue. For these four reasons, he firmly believes that SB 606 must become law. The reformation of public education in America has begun. Therefore, let Kansas parents and schools have some control over that reformation (Attachment 5).

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, Room 526-s Statehouse, at 1:30 p.m. on February 20, 1996.

Letitia Bernard addressed the committee as a proponent of **SB 606**. She stated that as a parent she want to have an impact on her childrens education. Like many other parents, she feels alienated from the system, therefore can not have much of an impact on her childrens life. This is why she supports **SB 606**. She feels the cooperation between parents and teachers providing an outcome based education through a charter school will provide a model for site based education and an alternative for parents within the public school system. Charter school legislation could also be seen as government providing leadership in creative solutions to the educational challenges (Attachment 6).

Dr. Sharol Little gave her support on authorizing state charter schools.

Agnus Stephens addressed the committee as a proponent of **SB 606**. She stated that in times of shrinking resources, the publicly "chartered" focus school approach may demonstrate how schools can themselves become institutions that motivate, lead and successfully teach youth within a framework of fiscal and academic accountability while respecting local control and parental choice (Attachment 7).

The meeting adjourned at 2:30 p.m.

The next meeting is scheduled for February 21, 1996.

SENATE EDUCATION COMMITTEE GUEST LIST

DATE: February 30, 1996

| NAME | REPRESENTING |
|----------------------|--|
| Mark Tallman | KASB |
| Karen Tower | KASB |
| Jacquie Dakes | SQE |
| Nancy Apt | USA |
| Gerald Rudman | USA/KS |
| Frank D. Tucker | _____ |
| Suzanne Payne | Butcher Childrens School |
| Barbara Canales | Butcher Childrens School, Emp. Ks. |
| Lori Maraska Teacher | Butcher Children's School |
| Lisa Jordan | _____ |
| Diane Gjerstad | USD 259 - Wichita |
| HAROLD PITTS | OBSERVE |
| Tititia J. Bernard | Butcher Children's School - parent |
| DAVID HUCKER | BUTCHER CHILDREN'S SCHOOL, PARENT, EMPORIA, KS |
| Margaret Davidson | Butcher Children's School - teacher |
| Michael Kasnic | Butcher Children's School - Principal |
| mabel Baskin | Interfaith Impact United Methodist Women |
| Leow & Agnes Stephen | Boone & Boone School - Boone |
| Barbara G. Dixon | United Methodist Women Interfaith Impact |

Sharon Little
 Sue Chace
 Brenda White
 Bruce Coeden

USD 465, Winfield Sept.
 KNEA
 Senator Hensley
 Kansas NEA

Clude Mosher
 K11 + Self
 Susan
 Porter
 KU-intern

Kathleen
 White
 KSBE.

(over)

Hattie Sparks

DOB

**An Act Authorizing the Establishment of
State Charter Schools**

Senate Bill
606
Session of 1996
State of Kansas

**Jack D. Skillett, Professor
Educational Administration**

| <u>Section</u> | <u>Area</u> | <u>Modify, Add, or Delete</u> | <u>Concept Recommended for Consideration</u> |
|-------------------|--|---------------------------------------|--|
| 1) New Section | | Add (number of state charter schools) | Restrict the number of schools to (15) |
| 2) Section 2c(5) | “the governance structure of the school...” | Add | Include the superintendent of schools or his/her designee as a member of the Governance Board with non-voting rights |
| 3) Section 2c(6) | “description of qualifications to be met by persons employed...” | Add | Prescribe the same certification standards for professional staff as required in public schools |
| 4) Section 2c(14) | “...The proposed budget of the state charter school...” | Add | Require a proposed budget based on the per pupil expenditure of the Unified School District in which the school is located |

SENATE EDUCATION
2-20-96
ATTACHMENT 1

| | <u>Section</u> | <u>Area</u> | <u>Modify, Add or Delete</u> | <u>Concept Recommended for Consideration</u> |
|----|-----------------|--|------------------------------|---|
| 5) | Section 2c (15) | | Add (parental involvement) | Require a description of how parents will be involved in the development of a school/home partnership program |
| 6) | Section 2d (2) | “the school shall not limit admissions...” | Add | Affirm the need to develop and implement a plan to have a student body which must be reasonably reflective of the racial and socio-economic composition of the district |
| 7) | Section 3a | “...no other approval required for five years” | Modify | Modify period of time for approval to three or four years |
| 8) | Section 4 | “...shall be provided transportation to the state charter school by the school district” | Modify | Require transportation costs <u>not</u> reimbursed by the state to be borne by the state charter school |

2-1

| <u>Section</u> | <u>Area</u> | <u>Modify, Add, or Delete</u> | <u>Concept Recommended for Consideration</u> |
|------------------|--|---------------------------------------|---|
| 9) Section 5 (a) | “...each district shall grant a leave of absence to any employee...” | Add | Provide for an employee not to be penalized on a salary schedule (experience increments) should the employee decide to return to the employee’s former position |
| 10) New Section | | Add (notification of school district) | Require petitioner(s) to submit a copy of the petition to the school district in which the proposed charter school is located |

Butcher Children's School

Dr. Michael J. Kasnic
Principal
Emporia State University
1200 Commercial
Emporia, Kansas 66801

Telephone 316-341-5301
Fax 316-341-5737

2/20/96

To: Senate Education Subcommittee

I'm speaking as someone who has gone through the Charter School application process, only to be turned down at the local school district level. In hindsight, the current chartering process is quite difficult, with the major problem coming from the fact that the approval of the charter is in the hands of those most threatened by charter autonomy, the local school board. The other problem is the inability to provide freedom from the local collective bargaining agreement.

Despite what the words seem to imply, "charter schools" is not basically about the schools. For the teachers who teach in them and the students who enroll in them, true, it is the schools that are important. But for others "charter schools" has been about system-reform . . . a way for the state to cause the district system to improve. The schools are instrumental. Certainly, for the ladies and gentlemen of this committee it is about system-change. It would make no sense to work for charter schools if it were about creating a few schools for a few kids. Your involvement is explainable only in terms of your sense that the dynamics of the charter idea are essential for general system change.

I'm sure many officials of the local school establishment will perceive this bill as a direct threat. They see a charter school as a source of competition and sometimes even an indictment of the district's own job of providing quality education. Thus the best program for charters is one that removes the granting process from the local level and alleviates the problem of a politicized review process, as this bill proposes.

As you look at charter schools around the country, under the most ideal, legal provisions, charter schools function separately from the local district, essentially as their own school district -- precisely in order to avoid the politics of the local bureaucracy, as well as their operational dictates. Autonomy permits diversity, and parents then have real choices beyond distinct programs. Charters controlled by local boards, on the other hand, offer few distinctions.

As this bill proposes, a strong charter school law revolves around the provision that lets the applicant approach some public body other than the local board to get its charter. An 'alternate sponsor' would be an incentive for the local board to be responsive . . . to introduce the changes and improvements itself. If no 'alternate sponsor' is available, no incentives are created; so no systemic effects appear.

(over, please)

SENATE EDUCATION
2-20-96
ATTACHMENT 2

I'm sure there will be opposition to this bill from groups that represent the people who now own and run the schools, to try and stop the Legislature from making the 'alternate sponsor' available. They do not want the state to make it possible for schools to appear, that the district does not own and run. They do not want the pressures this would bring on them -- to change and improve their own program or to see students leave. They do not want to lose the district's exclusive. So they will work for a law that would contain schools within the district framework, with the local board the only sponsor; for a "pseudo" charter law.

What this bill is attempting to do, on the other hand, is to create incentives for districts to act . . . pressures to be responsive, innovative and careful about their costs. Without the dynamics that make performance necessary the system will remain inert; unable to generate internally the will to do the hard things that excellence requires. For legislators the 'alternate sponsor' is critical. Watch out for the theory/reality trick. The first chapter in the book of tactics for opposing change is titled: "Spread Fear and Doubt". Some people are experts at turning the solution into the problem. "This is not a bad idea," they say. "But it could be implemented wrong. And that would be bad." They give you a lot of hypothetical concerns: Lots of "What if . . .". Then to persuade you to stay with what we have they tell you again how the system we have works -- in theory. Of course it works perfectly in theory: The problem is the way it works in practice. After two years, Kansas still does not have a Charter School. It's a simple trick, but a common one.

Under this bill, charter schools pose no threat to public schools or public school funding; they are themselves public schools. And despite the contention of critics that charter schools lack accountability, the process for addressing and correcting problems is actually much swifter for charters than for traditional public schools. First, every charter school must agree to a performance contract with the state that requires them to meet the standards they have proposed; if they don't meet these achievement levels, their charter is simply revoked. If they are not fiscally sound, they're shut down. If they violate any civil, safety or health codes, they're put out of business. That is more accountability than is either required of or visited upon traditional public schools.

Consider this; the 'charter movement' -- in contrast to other efforts at systemic change -- has no organizational structure, no prominent figures to lead it, no big foundation grants and little support so far from well-known education or business groups; it does not offer a new theory of teaching and learning but simply a new opportunity to try out better teaching and learning for all students. Its central idea -- for the state to leverage districts by withdrawing their 'exclusive' to offer public education -- breaks sharply with the conventional notion that policy should not and can not challenge the K-12 system but must work with the system-organizations to 'do improvement' from the inside.

Sometimes simple ideas do have great power. Perhaps people see that incentives are central to system-change. Sometimes our political system will do things that are necessary; not just what conventional opinion approves of, or thinks is achievable.

Thank you.

Margaret Davidson
4th Grade Teacher
Butcher Children's School

This is my twenty-seventh year as a teacher and my eleventh at Butcher Children's School. I am supporting the passage of Senate Bill No. 606. I feel that this bill would enable us to have some real autonomy. While I was willing to try the charter concept under the existing charter school bill, I had some concerns that we would be so closely tied to the Board of Education that we would not have the freedom from regulation to be truly innovative. This bill would allow us freedom to try new ideas that are based on current research when we are ready to pilot them. Now we have to present what we want to do to the Board of Education, convince the majority of the members that our idea has merit, hope for funding if needed, and wait, sometimes for years. This was what happened when we wanted to try the extended year and add a second Kindergarten.

Some of the things we would like to try include multiage groupings of children and alternative ways of reporting student progress to parents. At the present, as a part of USD 253, we are tied to giving letter grades to children. Thematic units are a successful teaching strategy in multiage classrooms, but they don't always lend themselves to a specific grade's scope and sequence as prescribed by the board of education. We have had to go to the board for approval even when we wanted to use alternative materials to teach concepts that followed the scope and sequence of the district. I appreciate the board's need to make the decisions when the members are held accountable for our teaching, but Senate Bill No. 606 would release them from that responsibility.

I would like to spend my time and energy learning what is working well with today's children and developing strategies that utilize this knowledge with the understanding that I will be able to try them. This bill would allow that, while still holding me accountable for making sure that the children for whom I am responsible are learning what they need, to become thinking, responsible, educated citizens.

I do have two questions. In Section 5, page 5 regarding the leave of absence clause, does the term "employee" refer to both certified and classified staff? Will the classified staff be allowed the leave of absence also? Second, are the qualifications of the teachers to be addressed in each school's charter, or are the teachers' qualification requirements the same as in regular school districts?

For the reasons above, I strongly urge the passage of Senate Bill No. 606. Thank you.

SENATE EDUCATION
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ATTACHMENT 3

My name is Lori Mareska, I teach 3rd grade at Butcher Children's School. I am also the building representative for ENEA.

I'm excited about the possibilities of Butcher Children's School becoming a charter school. As a professional, I feel that the opportunities provided through the charter school would benefit our student performance. As new and better teaching strategies come along we, as teachers, want to be able to change them now and not wait. An example is our math program, (CDA, Curriculum Development Associates). Each year we have to justify and validate to the Emporia School Board why this program is important. The district adopts programs and reviews them every 7 years. As a charter school we could continue to use this program or any other program to enhance student performance.

I have one question, or area of concern. In the proposal it states that "at the end of the two year period the employee may make a request to the board of education to return to employees former position" or a position in the district. Does that employee retain the position on the salary schedule or move up or back after 2 years? As a professional I would not want to lose steps on the salary schedule.

I am in support of the charter school and I see this as a "team effort" on behalf of faculty, staff, parents, and students.

Thank You.

SENATE EDUCATION
2-20-96
ATTACHMENT 4

Presentation to the Senate Education Committee
on
Senate Bill Number 606
February 20, 1996

By David Hurlocker
1425 State Street
Emporia, Kansas 66801

Position: Proponent of the bill

Educational change is a reality of our day. We may be on the cutting edge of this change or we can be forced to change. Senate Bill Number 606 give us control over that change and will greatly affect how that change will affect a school.

This document will record why I, a parent of three students, am in favor of the formation of the state charter school.

1) Removal of bureaucratic hurdles.

This bill will allow exactly what the founding fathers of our nation wanted: Those most directly affected by decisions should have the greatest voice in those decisions.

The local board of education is responsible for 10 schools and unnumbered programs within them. As a result, every innovation for a single school is weighed against what is best for every student, every teacher and staff member in all schools. This can be burdensome. What is best for one school can get buried underneath the discussion of the whole.

Butcher Children's School knows this all too well. Every innovative program and measure that has made Butcher Children's School what it is today has come only after the sound of battle. At Butcher the fights have come over their well proven CDA math program and whole language reading program. Since these are not the curriculum used in the rest of USD 253, it is subjected to review and threats to remove it. Butcher fights every year for the funding for its "Extended School Time" calendar. This in spite of the fact that it has cost the district less each year since its start. Butcher even had to fight for a second Kindergarten class. Every other school in USD 253 had two and more were added. But Butcher was given their second Kindergarten class only after they lobbied the School Board for three years.

The state charter school would have allowed Butcher Children's School to decide what is best for its students and staff without having to battle over every item. Those most directly affected by each decision (the parents and staff) will have the loudest voice in those decisions.

There would still be a bureaucracy in management. But it would have greater mobility for and accountability to the school it serves.

SENATE EDUCATION
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ATTACHMENT 5

2) Direct empowerment and accountability of parents and teachers

As a parent, I like the idea that parents and teachers will be empowered to create and fund outcomes-oriented and performance based programs that will directly affect the children at the state charter school. Parents are the most important people in the education of children. Unfortunately, their voice is heard only slightly in the current structure. Teachers seem at times to be slave to the current thought of their administrators instead of being able to give voice to their creative improvements to the educational system.

The state charter school will give them a voice. This voice is not without accountability. All laws and regulations of schooling will have to be followed. But the freedom to lead their children's school into the twenty-first century is inspiring.

3) Innovation encourage instead of conformity.

The current system, by necessity, encourages conformity. Every school must do the same thing, in the same way, at the same time. The state charter school will encourage teachers and parents to utilize new tools, lead in new and effective areas to improve the education of children.

4) Wise management of tax revenue.

The state charter school give greater direct responsibility for tax revenues to the tax payers. They are responsible for the tax monies they receive. This is not a new thing. The current system has a board over the tax monies as well.

The appealing feature is that the board of trustees of a state charter school will have to finance one school, not ten. Their decisions will not be on the basis of what is best for a few thousand students but rather what is best for a few hundred. This is what tax payers desire. Namely greater accountability for tax revenues on all levels.

Conclusion

For these four reasons, I firmly believe Senate Bill number 606 must become law. It is a bill whose time is now. The reformation of public education in America has begun. Let us be sure that Kansas' parents and schools are given some control over that reformation. And let us together prepare children through public education for a brilliant future in the twenty-first century.

February 20, 1996

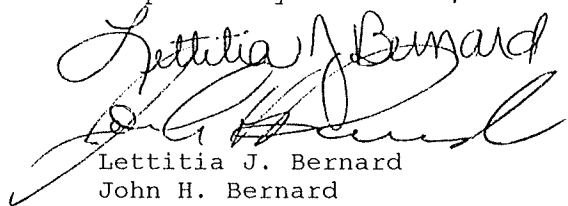
Members of the Kansas Senate Education Committee:

My husband and I are the parents of three elementary age children who attend Butcher Children's School. We are concerned that children spend a significant portion of their day in a system whose curriculum and priorities are dictated by a bureaucracy and organizations where concerned parents have no meaningful input. Parents frustration at being left out of the educational system is in evidence in Emporia by the growing number of children in home schooling systems and by increasing enrollment in our private christian school. Parents want to have an impact on their children's education. When they feel alienated from the system, they will seek other alternatives.

Our future depends on an educated public. We cannot afford to lose energy and resources to private education systems thereby diluting public education. Cooperation between parents and teachers in providing an outcomes based education through a charter school will provide a model for site based education and an alternative for parents within the public school system. Charter school legislation could also be seen as government providing leadership in creative solutions to our educational challenges.

We urge this committee to continue progress toward a workable charter school law. It seems to be a solution that would provide a cooperative forum for parents to directly impact their children's education and for expanded professional flexibility for the teaching staff. Just as local government best responds to a community's needs, so can true site based management of a charter school respond efficiently to our children's needs in an accountable manner.

Respectfully submitted,



Lettitia J. Bernard
John H. Bernard
1645 W. 20th Park Place
Emporia, KS 66801
316-343-7533

SENATE EDUCATION
2-20-96
ATTACHMENT 6

Good afternoon, ladies and gentlemen. My name is Agnes Stephen. I am from the small rural community of Bogue, Kansas. I am sure all of you have heard of Bogue, as our school as been getting a lot of publicity in the newspapers lately.

I am the mother of two daughters: one teaches at Hill City High School, and the other teaches at Fort Hays State University, where she is also working on her masters in nursing.

I am a member of the Bogue Elementary School Site Council and for the last two years, I have been a tutor for the kindergarten class three days a week.

A year ago I was asked to look into the possibilities of Bogue Elementary School becoming a charter school. Since that time, I have done a lot of reading about charter schools. I have family in Fort Collins, Colorado, and Scottsdale, Arizona, states that have charter schools, and they have sent me lots of material on charter schools.

I am very impressed with the outline given for charter schools.

SENATE EDUCATION
2-20-96
ATTACHMENT 7

RESPONSE TO SENATE BILL 606
by Senator Barbara Lawrence

I have read and studied senate bill 606--an act authorizing the establishment of state charter schools.

I especially like (b) in section 2, where a charter school petition goes directly to the state board of education for review, and (a) in section 3, stating whenever a state charter school has been approved for establishment by the state board of education, no other approval shall be required for a period of five years. In some charter schools it may take that long to see if they are really going to work.

It astounds me that those in the field of education didn't realize twenty or thirty years ago that big is not necessarily better. Changes do need to be made in education. Whereas the traditional classroom may have focused on keeping all children at the same level, new methods need to be implemented that will help children learn according to their ability levels. By reducing classroom size, a teacher is able to treat each child as an individual, and this could have a significant effect on their achievement.

I believe key factors in the success of a school are: a dedicated, professional staff working together, teachers trying innovative ideas and striving for high academic standards, and the school involving parents and the community.

In times of shrinking resources, the publicly "charted" focus school approach may demonstrate how schools can themselves become institutions that motivate, lead, and successfully teach youth within a framework of fiscal and academic accountability while respecting local control and parental choice.

Rural Kansas is faced with many challenges. I believe a good education for our youth is vital to the economic growth and development of Kansas. Bogue Elementary School is the small rural community from which I come. Five years ago it opened up its doors to children in the unified district and was supported by the school board. Children from another town by choice were bused to our small school. Many new teaching methods were being introduced and parents were very excited about the opportunity to choose the style of learning. These new teaching methods fit well within the rules and regulations for a charter school.

Our children are our future and we should prepare them the very best we can for the future. Charter schools will better prepare them because of family and community participation. No parent should be forced to send their child or children to a poor public school against their wishes. In some parts of rural Kansas this may be happening.

Our small rural school is proof that if innovative ideas are encouraged, a stronger supportive educational system can evolve. It seems that schools have gotten away from their number one priority, educating our children. Instead, the numerous ballgames and extra-curricular activities have turned our schools into entertainment centers. Charter schools could once again bring the focus back to education by everyone working together to promote learning.

I think senate bill 606 by Senator Barbara Lawrence is a good bill and a good start in Kansas becoming a charter school state. Let's make Kansas the leader of charter schools. We can be the best, with the right attitude.