

Approved: 4-4-97
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on February 20, 1997 in Room 519-S of the Capitol.

All members were present.

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

Conferees appearing before the committee:
Representative Lisa Benlon
Dr. David Benson, Superintendent of Blue Valley
Gerry Henderson, United School Administrators
Mark Tallman, Kansas Association of School Boards
Sue Chase, Kansas National Educators Association
Helen Stephens, Kansas Peace Officers Association
Dr. Ron Wimmer, Superintendent Olathe Schools

Others attending:

Hearings on **HB 2345 - School district finance, definition of at-risk pupils**, were opened

Representative Lisa Benlon, appeared before the committee as the sponsor of the bill. She believes there is a flaw in the current statute that defines an at-risk student. She told the committee that just because a family does not have the finances to pay for necessary items a student needs for school should not be the only factor that makes the student at-risk. The bill would require a student to meet two or more indicators, that are listed in the bill, before they are defined as at-risk. (Attachment 1)

Dr. David Benson, Superintendent of Blue Valley, appeared before the committee as a proponent of the bill. He told the committee that most districts need more funding for at-risk students. (Attachment 2)

Gerry Henderson, United School Administrators, appeared before the committee as a proponent. He explained that currently at-risk funds are generated by the number of children on free lunches, and with the passage of this bill they would also have to meet two indicators. (Attachment 3)

Mark Tallman, Kansas Association of School Boards, supported expanding the definition of at-risk pupils but believes it would increase the needs for funding. (Attachment 4)

Sue Chase, Kansas National Educators Association, supported the bill but requested that the committee consider increasing the at-risk weighting. (Attachment 5)

Helen Stephens, Kansas Peace Officers Association, appeared before the committee as a proponent of the bill. She stated that this bill would target children with problems and also believes that there needs to be an increase in funding. (Attachment 6)

Hearings on **HB 2345** were closed.

Hearings on **HB 2363 - School district finance, school facilities weighting, tax levy authority for new school facilities**, were opened.

Dr. David Benson, Superintendent of Blue Valley, appeared before the committee as a proponent. (see attachment 2) He explained that this proposed bill would allow districts experiencing extraordinary growth to BOTAs and the State Board of Education would consider a new pupil weighting factor which would generate additional funds. The increase would be funded by local tax dollars that would be added to the Statewide mill levy.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION, Room 519-S Statehouse, at 3:30 p.m. on February 20, 1997.

Dr. Ron Wimmer, Superintendent Olathe Schools, appeared before the committee in support of the bill. He stated that the Olathe school district has also seen a huge increase in the number of students enrolled in their schools. This bill would simply help those school districts to have additional budget authority to accommodate the operational costs associated with the growth. (Attachment 7)

Hearings on **HB 2363** were closed.

The committee meeting adjourned at 5:30 p.m. The next meeting is scheduled for February 21, 1997.



TOPEKA

 HOUSE OF
 REPRESENTATIVES

 COMMITTEE ASSIGNMENTS
 ECONOMIC DEVELOPMENT
 GOVERNMENTAL ORGANIZATION AND ELECTIONS
 TOURISM

 LISA L. BENLON
 REPRESENTATIVE, 17TH DISTRICT
 REPRESENTING PORTIONS OF
 SHAWNEE AND LENEXA
 7303 EARNSHAW
 SHAWNEE, KANSAS 66216
 TOPEKA: (913) 296-7652
 SHAWNEE: (913) 268-4326

 TESTIMONY ON
 HB 2345

Chairman O'Neal and Committee Members,

House Bill 2345 is an attempt to correct what I believe to be a flaw in the current statute definition of an "at risk" student. Current law defines "at risk" as any student who qualifies under the economic purview to receive a free lunch.

While I will agree that those who are financially challenged may fit into a lifestyle that may make them at risk, that alone should not be the sole determination.

House Bill 2345 instead, touches on issues which I believe are truly at risk indicators. This bill will allow the current law to stay, but I am expanding the definition.

In this bill, an at risk student can then be defined also as one who is characterized by any two or more of the following indicators:

- > a high rate of absenteeism from school attendance
- > failure to achieve grade-level standards
- > failure in two or more subjects or courses of study
- > two or more credits behind other pupils in modal grade in the number graduation credits attained
- > retention at grade level one or more times
- > below modal grade for pupils in the same age group, pregnancy, or parenthood or both
- > repeated commission of any of the disciplinary infractions
- > identified chemically or alcohol dependent
- > identified juvenile offenders.

I believe the above items truly may identify those "at risk."

House Education
 2-20-97

Attachment 1

**TESTIMONY IN FAVOR OF SB 126 AND HB 2363
FURTHER AMENDMENTS AND SUGGESTIONS
TO THESE PROPOSALS**

**Blue Valley U.S.D. #229
Overland Park, Kansas**

**Dr. David L. Benson
Superintendent of Schools
February 20, 1997**

Over the past few months Associate Commissioner Mr. Dale Dennis, has made the Interim Committee and Standing Committees aware of the US Department of Education rules and regulations regarding Federal Impact Aid. These rules and regulations require any state that treats Federal Impact Aid (PL 874) as a local resource to have no more than a 25% variance between school districts at the 5th and 95th percentiles in operating expenditures per pupil. These regulations apply to weighted expenditures per pupil.

In 1993, legislation was passed to assist school districts experiencing extraordinary growth who had already received local approval for the maximum 25% LOB. This legislation (KSA 72-6441) permits an appeal to the State Board of Tax Appeals to receive additional operating budget authority for opening of new school facilities. Since that time two school districts have been granted additional budget authority under this provision. These two school districts together, constitute more than 5% of the enrollment of the State. Therefore, the State of

House Education
2-20-97
Attachment 2

Kansas is non-compliant with Federal Department of Education rules and regulations concerning PL 874. The potential impact of non-compliance is that the State of Kansas would lose Federal Impact dollars.

The proposed change for the 1996-97 school year is to allow all qualified districts to receive an additional .08 new facilities weighting (from .25 to .33). This increased revenue would be offset by a corresponding decrease in the previously authorized BOTA authority. This increase in new facilities weighting would remove the larger district from consideration for BOTA authority; therefore, allowing the State to comply with the federal rules and regulations. This would result in the State qualifying for Federal Impact dollars for the 1996-97 school year.

PL 874 SOLUTION FOR 1997-98 AND BEYOND

For future years, the legislation as introduced, would have further increased new facilities weighting to .50 in order to insure continued compliance with federal rules and regulations. This approach would require increased State expenditures for all qualifying districts opening new facilities. The increased expenditures for the State created some concern among legislators.

An alternative approach has been developed which, hopefully, eliminates the concern among legislators. The new approach continues to permit appeals to BOTA for districts experiencing extraordinary growth and levying the full amount of local option budget authority. The budget authority granted in such BOTA appeals would be converted by the State Board of Education to a new pupil weighting factor. This weighting factor would generate additional general fund budget authority. The increase would be funded by local tax dollars added to the State-wide mill levy, otherwise set by law. The U. S. Office of Education has tentatively approved this concept and agrees that this approach satisfies the federal regulations permitting school districts who qualify to seek increased budget authority to meet the needs associated with extraordinary growth.





HB 2345

Testimony presented before the House Committee on Education
by Gerald W. Henderson, Executive Director
United School Administrators of Kansas
February 20, 1997

Mister Chairman and Members of the Committee:

United School Administrators of Kansas supports the redefinition of at-risk pupils contained in **HB 2345**. While the added list of conditions by no means provides exhaustive indicators of "at-risk-ed-ness", it does perhaps lessen the confusion which now exists between how funds are generated and how children are served. Funds are generated by the number of children on free lunches. Children are served who are enrolled in an approved program. Under most circumstances the funds generated are not sufficient to serve the children enrolled in approved programs.

We would encourage favorable action on **HB 2345**.

House Education
2-20-97

Attachment 3

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

1420 S.W. Arrowhead Rd, Topeka, Kansas 66604
913-273-3600

TO: House Committee on Education
FROM: Mark Tallman, Director of Governmental Relations
DATE: February 29, 1997

RE: Testimony on H.B. 2345 - Definition of At-Risk Pupils

Mr. Chairman, Members of the Committee:

KASB appears in support of H.B. 2345 for two reasons.

First, it expands the definition of at risk pupil by recognizing a number of other characteristics which place a child "at risk" of academic failure. KASB believes that identifying these pupils on the basis of free lunch eligibility (in effect, on poverty) is an appropriate, but limited, method.

Second, this bill would expand the number of pupils who could be identified as at risk, and thereby increase funding available to serve these students. The people of Kansas, including their representatives in the Legislature, have repeatedly expressed their expectation that the public schools educate all children, including those who are poor academic performers, those who are discipline problems and even those who do not want to be in school at all. Serving these children is more difficult and costly. Without additional support, special services for at risk children must come at the expense of all the other children.

Thank your for your consideration.

House Education
2-20-97
Attachment 4



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

Susan Chase Testimony on HB 2345
before House Education Committee
Thursday, February 20, 1997

Thank you Mr. Chairman and members of the committee for allowing me to testify. I am Susan Chase and I represent the Kansas National Education Association. I am here in support of HB 2345.

One of the priorities for the Kansas National Education Association is to improve the availability of at-risk programs for those students who need either additional or alternative instructional programs to be successful. We believe HB 2345 will assist school districts in providing these programs.

By expanding the definition of at-risk, schools districts will hopefully be able to provide both early intervention programs and alternative programs for students who are not succeeding. This will also reduce the amount of general fund moneys that districts spend on at-risk programs.

KNEA also believes it is important to increase the weighting at-risk students receive. By targeting money to at-risk programs for students, the state will reduce the chance of having to spend money on these students when they become adults. By increasing a student's chance of graduating or achieving their GED, you increase their potential for employment and better salaries and decrease their chance for incarceration.

KNEA urges this committee to pass this bill out favorably with an increase in the at-risk weighting. Thank you for allowing me to speak.

House Education
2-20-97
Attachment 5

KANSAS SHERIFFS ASSOCIATION
and
KANSAS PEACE OFFICERS ASSOCIATION
House Education Committee
February 20, 1997
House Bill 2345

Mr. Chairman and Members of the Committee:

My name is Helen Stephens representing the Kansas Sheriffs Association (KSA) and the Kansas Peace Officers Association (KPOA).

Several weeks ago I appeared before you in opposition to changing the age of compulsory attendance from 18 to 16. At that time, I mentioned it will take time to change of attitudes of students, the teachers who must handle these children, and a change in the definition of at-risk.

The definition changes in HB 2345 would enable school districts to more specifically target children or young adults with problems. The current definition of free lunch for funding at-risk has always been questionable, in our opinion. My members have had brief encounters with more than several juvenile offenders who might not be in a youth center or on probation had they been included in the definition of at-risk. A good number of these JOs did not qualify for at-risk funding because of their economic status and/or because the school district (who gets only \$0.98 for each at-risk child per day) could not afford to start programs. Some of these kids had drug or alcohol problems combined with lack of interest in their education due to lack of ability or maybe getting behind and unable to catch up. Some kids are bound in the wrong direction their entire life; but a vast majority, in our opinion, could be "turned" with additional help from special classes or an alternative school.

The state is embarking on a new policy of making students and parents more responsible through the implementation of the Juvenile Authority. We applaud that policy and your actions to support same; but we believe to make the policy work, really work, you need to give school districts the proper tools to reach these students at all grade levels to change their attitudes, perspective, and learning habits. HB 2345 is an excellent beginning.

Contrary to popular opinion, law enforcement does have empathy for these juveniles they pick up. They repeatedly comment that with better parenting and/or a little more specialized attention from their schools, a certain kid would not be in their custody.

Again, we urge you to help the children of Kansas and their parents by giving favorable consideration to HB 2345.

Thank you for this opportunity. I would stand for questions.

House Education
2-20-97
Attachment 6

Testimony regarding School Funding

February 20, 1997

Ron Wimmer, Superintendent
USD #233 Olathe, Kansas

Gary Diener, Business Manager
USD #233 Olathe, Kansas

Mr. Chairman and Member of the Education Committee:

We appear before you today representing the needs of Unified School District No. 233, (Olathe), related to amendments of the school finance formula to comply with regulations for federal aid to schools.

As you know, our district meets state requirements to apply to the Board of Tax Appeals for local funding due to exceptional enrollment growth exceeding 1,500 new students over a three year period. The district has experienced consistent patterns of enrollment growth from approximately 3,200 students in 1965 to over 18,500 this year. In fact, enrollment increases approximately 3,000 students every five years. We anticipate an additional 700 to 800 students next year and long range projections indicate district enrollment continuing to 30,000 students over the next fifteen years. While local patrons have been supportive of additional facilities to accommodate growth, we must have access to additional budget authority to accommodate the operational costs associated with growth. In addition to state and local funds, federal support of various educational programs provides significant benefits to our students and other students throughout Kansas.

We appear before you today to support amendments to bring Kansas into compliance with federal regulations as well as retain local budget authority to operate our schools. As superintendent and chief executive officer for the Olathe school board, Chair-Elect of the Olathe Area Chamber of Commerce, and a member of the advisory board of the Olathe Economic Development Council I know the value of education to a

House Education
2-20-97
Attachment 7

community. The business community and residents of Olathe recognize the importance of quality education as critical for our children as well as our economic growth. Quality education means quality of life for all citizens including residents and businesses. Please continue to support appropriate funding of our schools to keep Kansas an educational leader for our nation. We can be proud of our Kansas schools and the quality of education provided to our children. They deserve nothing less.

Thank You.