

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 March 11, 1997 in Room 519-S of the Capitol.

All members were present except:

Representative Clay Aurand - Excused
Representative Ted Powers - Excused
Representative Gene Shore - Excused
Representative Daniel Thimesch - Excused

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

Conferees appearing before the committee:

Dr. Dale Rawson - Superintendent U.S.D. 427
Sue Chase - Kansas National Education Association
Mark Tallman - Kansas Association of School Boards
Gerry Henderson - Kansas School Administrators
Helen Stephens - Kansas Peace Officers Association

Others attending: See attached list

Hearings on **SB 65 - Provisions of educational services in a regular school setting for certain persons**, were opened.

Dr. Dale Rawson, Superintendent U.S.D. 427, appeared before the committee as a proponent of the bill. He explained that the proposed bill would not require a school district to provide educational services in a regular school setting to those who are age 21 or older. However, the district would be required to provide educational services in an alternative setting or through an alternative educational program. (Attachment 1)

Sue Chase, Kansas National Education Association, appeared before the committee in support of the bill because it would assure safety & security to students while meeting the needs of those who are 21 years of age or older. (Attachment 2)

Mark Tallman, Kansas Association of School Boards, appeared before the committee as a proponent of the bill. He commented that the proposed bill would not deny educational opportunities but would allow for participation in an alternative educational program. (Attachment 3)

Gerry Henderson, Kansas School Administrators, appeared neither as a proponent or opponent of the bill. He stated that anyone wanting an education should be provided with one. However, schools should not be forced to enroll an older student who does not have education as a top priority. (Attachment 4)

Hearings on **SB 65** were closed.

Hearings on **SB 38 - Schools, compulsory attendance age**, were opened.

Mark Tallman, Kansas Association of School Boards, appeared as a proponent of the bill. He explained that the proposed bill would amend the compulsory attendance law to circumstances under which a 16 or 17 year old may be exempted from the compulsory attendance requirement if a parent or a person acting as a parent gives consent. They would then be required to go through a counseling session where they would need to sign a disclaimer that states that because one drops out of school they would not have the necessary skills to survive in the 21st Century. (See Attachment 3)

Helen Stephens, Kansas Peace Officers Association, appeared before the committee in support of the bill. She commented that the proposed bill would help parents who are trying to keep their students in school. (Attachment 5)

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION, Room 519-S Statehouse, at 3:30 p.m. on March 11, 1997.

Gerry Henderson, Kansas School Administrators, appeared before the committee neither as a proponent or opponent. He suggested that the committee come up with alternative educational options for those kids who are dropping out of school. (Attachment 6)

Hearings on **SB 38** were closed.

The meeting adjourned at 5:00 p.m. The next meeting is scheduled for March 12, 1997.

HOUSE EDUCATION COMMITTEE GUEST LIST

DATE: March 11, 1997

NAME	REPRESENTING
Helen Stephens	RPOA/KSA
Jacque Daker	
Pat Lehman	Olacho USD 233
Bob Vaneman	Blue Valley USD 229
Gerald Henderson	USA of KS
Sue Chase	KNEA
Ken Baker	KACC
Dorothy Rockefeller	LOWV
Don Ryan	USD 321
Diane Gjerstad	USD 259, Wichita
Jim Yonally	USD # 512
Harshel Boer	cit.
Mark Hoepke	SRS
Chap A. Burnett	USD 501#
Karen Lowery	HAEB
Jimie A. P.	USD
Mark Tallman	KTSB
Jerrell Schrock	USD - 262
Walter Larson	Sys. - USD 427

REPUBLIC COUNTY UNIFIED SCHOOL DISTRICT NO. 427

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Serving the Communities of Belleville, Munden & Republic

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Kent Swartz, Member

Kathryn Johnson, Clerk
Marion Lesovsky, Treasurer

March 11, 1997

TO: House Education Committee
RE: Senate Bill 65

BY: Dr. Dale V. Rawson
Superintendent of Schools
Republic County Unified School District No. 427
Belleville, Kansas

Representative O'Neal and Committee Members:

First, thank you for allowing me to speak on behalf of Senate Bill 65 as amended and passed by the Senate. This bill was introduced by Senator Lee at our request.

Prior to making a few remarks about why we requested this bill, I would like to state what the bill is not. Senate Bill 65 is not an attempt to shirk the responsibility of providing education to **individual** citizens of Kansas. Rather, it is an attempt to allow local school districts the discretion they need to create a safe, healthful and orderly educational environment for **all** students.

In order to understand the basis of this bill, I will briefly review a situation which faced us last fall.

Near the start of the school year, our high school principal was approached by a 23 year old resident of our community who announced his intent to return to high school. The latest educational records we could obtain were from the Larned Youth Center where he had spent time and earned several freshman course credits. Since his release from Larned, he had no educational records that we were able to discover. Since the last credits earned were from the freshman year, the most appropriate placement would be between the freshman and sophomore classes. We had concerns about placing a 23 year old student with students of the ages of 15 and 16.

In addition to the lack of educational records, we were also concerned about the influence this adult may have on our students. Through the records of the court, we were able to determine that this adult had been adjudicated as a juvenile offender on multiple occasions. After placement at a youth home, the individual was ultimately committed to the Youth Center at Larned. Both alcohol and substance abuse problems as well as sexual misconduct have been apparent in the family when this individual was growing up and local legal counsel expressed concern about

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possible predatory motives this individual may have for wishing to be involved with our student population.

Based upon our concerns about the impact of placing a 23 year old adult in an environment with impressionable teenagers, we determined that we could best serve this student in an environment other than the regular classroom.

We proposed to this individual that we could help him through preparation for the GED. He declined and reiterated his desire to become a part of our school population. We then suggested that we could provide him a private location and bring teachers to him on a one-on-one basis to work with him in meeting course requirements. He again declined and indicated his interest in becoming a part of the student body. He further indicated his interest to participate in the extra curricular activity program at this time.

While the request to participate in KSHSAA sponsored activities was not permitted due to the age guidelines adopted by the association, we were shocked when we were advised by legal counsel of the Kansas Association of School Boards that there is no upper age limit with respect to eligibility for enrollment. Even though we have some latitude in determining best placement for a student, the bottom line was that if the student persisted, we may have had to enroll him in regular classes with other high school students.

Again, I would like to point out that we never refused to help this individual. We offered to assist him with an individually designed program designed to allow him to earn enough credits to graduate from high school. Our only reluctance was in placing a 23 year old adult in an environment where he would have access to impressionable youth of high school age.

The situation ended when we finally determined that based upon his attendance records, he would need to enroll in Freshman and Sophomore course offerings. He declined to enroll at that point since he wanted to be with "older students" and not with Freshman and Sophomores.

My hope is that the House Education Committee will forward this legislation and work for its passage in the 1997 session. We appreciate Senator Lee's recognition of the potentially harmful impact the placement of this individual could have on our school setting and her effort in drafting legislation that would allow the school district the discretion it needs to establish an age appropriate environment for learning.

Thank you again for allowing me the opportunity to speak with you today. I will answer any questions that you may have.



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

Susan Chase Testimony on SB 65
before House Education Committee
Tuesday, March 11, 1997

Thank you Mr. Chairman and members of the committee for allowing me to speak. I am Susan Chase and I represent the Kansas National Education Association. I am here to speak in support of SB 65 as amended by the Senate.

KNEA believes that all individuals should have the opportunity to continue their education, whether it is in the secondary, postsecondary, or vocational arena. We believe that local school districts are in a unique position to assist individuals over the age of 21 to achieve either their high school diploma or GED.

KNEA also believes it is important to assure the safety and security of the students in the regular school program. Local districts need to have the ability to decide which individuals might be a disruptive or unsafe element in the school and provide those individuals with alternatives.

Thank you for allowing me to speak. KNEA urges the committee to pass this bill out favorably.



TO: House Committee on Education
FROM: Mark Tallman, Director of Governmental Relations
DATE: March 11, 1997

Testimony on S.B. 65

S.B. 65 would allow school districts to place students who are 21 years of age or older in alternative placements. We believe there is clearly a compelling reason for treating such students in a different manner than students who have passed the compulsory attendance age but whose peer group is still in school. This bill would allow school personnel to make different placements if they believe that is in the best interest of both the older students and the students in the regular classroom.

This bill would not deny educational services to these students; in fact, it requires that services be provided in an alternative setting if the student wants to receive an education. Nor would it prohibit districts from placing older students in regular classrooms - it simply allows educators at the local level to make that determination.

Thank you for your consideration.

Testimony on S.B. 38

S.B. 38 began its legislative life as a bill to restore the compulsory attendance age to 16. We have previously testified before this committee about our concerns regarding the law scheduled to take effect next school year. However, the Senate Committee decided to "stay the course" and this bill now simply formalizes an "exit conference" for students who wish to drop out at ages 16 and 17, and requires students and their parents to sign a "disclaimer" in order to do so.

If this is the wisdom of the Legislature, we want you to recognize two things. First, the need to adequately fund alternative programs for students at risk of dropping out, or failing, or being removed from school for behavior problems. Second, the fact this bill represents an additional administrative mandate on school districts.



SB 65

Testimony presented before the House Committee on Education
by Gerald W. Henderson, Executive Director
United School Administrators of Kansas
March 11, 1997

Mister Chairman and Members of the Committee:

United School Administrators of Kansas appreciates the provision of **SB 65** which will give local schools added flexibility in dealing with older persons. It is our position, however, that **all** people should have equal opportunity for educational success, and that the job to be done, learning, ought to have priority over the time needed to learn. Some of our districts have so committed to making learning the constant and time the variable, that drop out rates have dropped to zero or nearly so. My favorite story is told by the superintendent of a southwest Kansas district about a young woman who had a baby during her sophomore year, but with the help of a supportive family and a high school willing to be flexible, this dedicated student finished requirements for her high school diploma, even though it took her five additional years. During some semesters she took only one course, but she finished.

We understand that **SB 65** does not preclude this story from being repeated. It simply provides that schools are not required to provide services to persons over the age of 21 in the regular school setting. Schools ought not be forced to enroll an older student who from all indications has other than educational goals in mind. While we appreciate and support the added flexibility, we believe the first message we should send from our schools is one of invitation, with **SB 65** in our back pocket just in case.

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KANSAS PEACE OFFICERS ASSOCIATION
and
KANSAS SHERIFFS ASSOCIATION

House Education Committee
Senate Bill No. 38
March 11, 1997

Mr. Chairman and Members of the Committee:

I am Helen Stephens, representing the Kansas Peace Officers Association and Kansas Sheriffs Association.

The associations I represent supported passage of the compulsory age attendance law as it was passed in 1996 as part of a bigger package that would put more responsibility on juveniles and their parents. We believed then, as we do now, that it was a major step forward that was long overdue. We believe the legislature would be irresponsible to parents and would be sending the wrong message to students to lower the compulsory attendance age back to 16 -- especially since it has not even taken effect.

During the past five years at least, legislators have repeatedly stated they want parents and children to be more responsible for their actions, and that parents should be more involved in their student's academic lives. Current law, and the stronger consent passage, helps to accomplish that by requiring the parents' approval to dropout of school at age 16.

The legislature as a whole has balked during this same five years at least, at putting more money in juvenile programs or at-risk programs for our youth in trouble or in danger of dropping out. Putting the age back to 16 does not allow parents to be responsible, inadvertently puts more "power" into the hands of the student, and will just force the legislature to put more money into juvenile offender programs in coming years.

Just as now, young adults flaunt the lenient juvenile laws at law enforcement, they will flaunt to their parents that reaching 16 is a time when they can drive and dropout of school. Although some 16-year olds may look and act quite mature one moment, they can act just as immature the next; and either way, a majority still do not have a grasp on the consequences of this act of dropping out. I have heard legislators say it is the 16-year-olds decision and we shouldn't force them to stay in school; be honest, were you, at 16, mature enough to know the magnitude of most of your actions? We will not change the attitude of all children; that we know; but by passing SB 38 you will help most that are in difficulty today.

For parents, you are taking away an important support tool to keep their student in school. A parent can demand attendance at school, they can threaten and cajole; but when the law says a student may quit at 16 -- the parent's authority and leverage has been undermined.

Law enforcement understands the difficulties these students can present to teachers and school districts -- but allowing them to quit school is not the answer. The legislature and school districts have sufficient time to prepare for this change.

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The answer lies in several areas: First, leave the law at 18 (16 with parental consent). Change is never easy, but we believe this is an important change for the future of Kansas students as they turn into adults. Give this law at least 5 years to change a lifetime of irrational and wrong thinking. Second, and foremost, give additional funding for at-risk students, additional funding for alternative schools, and/or allow more latitude for schools to handle these children. One suggestion -- relieve alternative schools of some of the rules and regulations and let the school boards and teachers use the innovative ideas that are out in their communities. Eliminating some of the rules and regs might also allow schools to operate several alternative schools on different levels.

We urge one you pass SB 38 favorably -- support parents who are trying to keep their student in school and send a message to all students under 16 - Kansas expects you to get your diploma, GED, and do more in other areas to help Kansas schools handle the students who want to quit.

I thank you for this opportunity and I would be happy to answer your questions.



SB 38

Testimony presented before the House Committee on Education
by Gerald W. Henderson, Executive Director
United School Administrators of Kansas
March 11, 1997

Mister Chairman and Members of the Committee:

During the annual convention of our organization, I had opportunity to visit with a number of the high school principals most directly affected by the change in the compulsory attendance law. Reactions to the law which raised the compulsory attendance to age 18 was mixed at best, with the most common thread dependent on population density.

The majority of principals I visited with in Wichita or whom our staff visited with by telephone believe that students should remain in school until graduation. The problem of course is the young person who does not want to be in school and is disruptive to the learning environment. Again, most principals don't want to give up on even these individuals and are supportive of mandating attendance for 18 year old youngsters depending on the availability of alternative placement.

Here is where population density comes into play. Principals in areas of the state where either in-district or cooperative arrangements for alternative high schools are possible have little or no problem with leaving the age at 18. Principals from scarcely populated areas are struggling to cope with disruptive 16 through 18 year old people who are in school only because a judge ordered them to be. Principals from these areas were quick to point out, however, that incidents of uncontrollable disruption were rare, and that in extreme cases a parent was usually willing to sign the waiver allowed under current law.

Am I supporting **SB 38** or opposing it. I guess the answer is yes. I and my members are appreciative of the conversations held in this committee about alternative options. Quality Performance Accreditation has educators more focused on **all** children than ever before.

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More attention is being paid to dropouts since measurements are being taken as a part of the accreditation process. What gets measured gets attended to. We applaud your concern for not only the disruptive child but for the other children in Kansas classrooms who deserve safe and orderly learning environments. Alternative forms of education are more expensive per child than the more traditional classroom. If alternative schools are to become the rule in Kansas, the creativity and innovation already underway are going to have to have your support.