

Approved: *B. Lawrence*
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Barbara Lawrence at 9:00 a.m. on February 11, 1997 in Room 123-S of the Capitol.

All members were present except:

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

Conferees appearing before the committee: Mark Tallman, Kansas Association of School Boards
Jacque Oakes, Students for Quality Education
Helen Stephens, KS Peace Officers Association and
KS Sheriffs Association

Others attending: See attached list
SB 38--compulsory attendance age

Chairperson Lawrence called the meeting to order and continued with the conferees that had not testified at the present meeting.

Mark Tallman, KASB, appeared as a proponent of the bill and submitted his testimony (Attachment 1). He stated that the organization he represents does not have a specific policy position on the issue of compulsory attendance age. He appeared in support because the compulsory attendance provisions passed last session as part of the Juvenile Justice Reform Act will have little, if any, positive impact on education students who currently drop out of school. It will potentially have a negative impact on the rest of the student population. It is far more difficult to educate children who do not wish to be in school than those who do. Requiring 17 and 18 year olds to be in school does not change their attitude. These students are likely to be disruptive or require more attention from teachers, both of which infringe on the quality of education for other students. If the Legislature makes a public policy position that high school drop-outs must be served, it must also provide the resources to take on this additional responsibility with programs especially designed for these students. Many educators are frustrated with their current inability to enforce compulsory attendance laws that are already on the books.

Mr. Tallman made a few additional comments regarding what kind of message this sends. At some level people have to take responsibility for themselves and make choices for themselves. In responding to some of the testimony of Representative Adkins involving parental empowerment, Mr. Tallman commented that if parents cannot compel their children to go to school, to expect the state or the local community to do so is problematic as well.

Mr. Tallman was asked if there were alternatives for these types of children. He responded that many districts all over the state are individually or as a consortium trying to set up programs. If funds are going to be used for these programs, there will be less per pupil to spend on everyone else. In response to quality performance and the report card, Mr. Tallman responded that he believes most educators want every child in school. If there are people in positions of authority who do not believe this, passing a law will not help.

Mr. Tallman was asked if he knew the percentage of drop-outs who are behind their grade level. His response was that he did not know the exact figure, but assumed it was fairly high.

The comment was made that with greater efforts at a lower level, hopefully it will be seen that not so many kids are dropping out.

Mr. Tallman replied that hopefully ways will be forthcoming to address the problem. Trying to save a kid by the time he reaches high school is probably too late.

In response to the comment that there is nothing magical about ages 16 and 17, Mr. Tallman responded that is why his association has taken a position that states any age would be arbitrary. The concern about this bill was not so much the idea that the compulsory attendance age should be raised, but that if it increased without any additional recognition of the cost that could be associated with it and without any other steps to try to see that compulsory attendance is really enforced.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, Room 123-S Statehouse, at 9:00 a.m. on February 11, 1997.

One of the committee members stated that this bill sends kids the wrong message by giving them permission to get out where there is nothing to do.

The Chairperson commented that age 18 was set because that is the time a student normally graduates, but unless there has been some extraordinary effort involved, that student is probably behind in his credits and won't graduate anyway. So nothing has been accomplished.

A member commented that he had dropped out of school at age 13 and had done the types of work that aren't available to kids today.

Mr. Tallman asked if palatable alternatives such as the equivalent of a high school diploma, federal job corp programs or alternative solutions were discussed in his association.

Mr. Tallman responded that his district and all the districts in this county are participants in the new direction learners academy which is a program that only admits those students whose graduating class has already graduated; to get into the program the student has to not have a diploma and the age the class has graduated. It is only for older kids who did not graduate to come back to school.

Mr. Tallman was asked if the association would have difficulty if the age were lowered to age 17 or 16 - those students who drop out are counted if enrolled somewhere else in an alternative school if the money goes with them.

Mr. Tallman responded that the school district's costs are largely fixed. If a student drops out, those costs are still there; the child would not be there, but the costs would remain. The budget would have to budget for dropouts or budget for alternatives. The new directions of learning academy is based on the idea that these are kids who have dropped out, they didn't graduate, but are still eligible to generate state aid. The district was able to participate in the program without having to shift dollars from the district fund.

The Chairperson mentioned apprenticeship programs spoken of by Mr. Christian at a prior meeting. It was his thinking that school districts already have the ability to structure those locally if they choose to do so. In most cases this is a new thing. Some districts, but not many, are doing some very positive things.

Mr. Tallman was asked if Vo-Techs were considered as being an alternative. His response was that most districts allow kids into Vo-Tech programs as part of their school time, but other than that he isn't sure.

The comment was made that there should be some very serious repercussions when a student, with his parent's permission, decides to drop out of school at 16. Some type of sequence should be set up; some type of student's right to know. Vo-Tech might possibly be the answer for many kids as far as hands-on learning.

One of the committee members stated with regard to alternative schools that she will not support another program where money is taken from kids who are in classrooms, on time, learning and being responsible and funneling it toward students who have made very poor choices and will now have a better learning situation than the students who are making good choices.

"Work experience" was mentioned. Other countries are recognizing that at 16 year olds in many cases are mature enough to get on with their lives. If some of these kids have a choice, they feel like they have some control over their lives. It is too serious a thing to have parents sign a form and the kids are out of school.

Funding for alternative education was brought up. Dale Dennis, Deputy Commission of Education, responded that there is not set money other than the at-risk money for a program of this nature.

Jacque Oakes, Schools for Quality Education submitted her testimony and spoke to the bill. (Attachment 2). She mentioned the problems of alternative schools in regard to geographical location and the proximity of schools to one another. There is a bill being introduced in the House regarding apprenticeships.

One of the members asked if there was any way a school could legally retain some control over those students who are not in a regular classroom setting, or do we want to do this. Can the alternative placement definition be expanded. Also, what about some type of penalty for students who do not show up for any type class. Staff commented that the only way to control people and that is by a criminal penalty.

The Chairperson stated that she had been given some information along these lines. At Heights High School in Wichita had over one hundred truancy cases reported to the district attorney's office and none were followed up on because it was not a priority. The District Attorney is overwhelmed with more serious cases. They cannot do all they are called upon to do.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, Room 123-S Statehouse, at 9:00 a.m. on February 11, 1997.

After several further comments, the Chairperson thanked Ms. Oakes for her testimony and called on Helen Stephens, Kansas Peace Officers Association and Kansas Sheriffs Association, to speak to the bill. (Attachment 3) She stated that putting the age back to 16 does not allow parents to be responsible; it puts more "power" into the hands of the student and will force the legislature to put more money into juvenile offender programs. Ms. Stephens spoke of students "flaunting" the lenient juvenile laws, as they will this law if it is passed.

When the law says a student may quit at 16, the parents' authority and leverage is undermined. Leave the law at 18 and give additional funding for at-risk students.

Ms. Stephens spoke of a bill that is going to be introduced in the House that will change the definition of at risk. She listed the nine different categories that indicate at risk and ended her testimony by the suggestion to table the bill and give the law a chance to work.

One of the committee commented to Ms. Stephens that she had done a good job of capturing the attitude of these young people. This is the attitude that school districts and teachers have to deal with.

Law enforcement does not want to deal with these types of youth; specialized teachers are needed.

Chairperson Lawrence thanked the conferees for their testimony and adjourned the meeting.

The next meeting is scheduled for February 12, 1997.

SENATE EDUCATION COMMITTEE GUEST LIST

DATE: February 11, 1997

NAME	REPRESENTING
HAROLD PITTS	KCOA
Jacque Dales	SCF
Mark Haefke	SRS
Dorothy Locke Jellen	LOWV
Grant Denny	Sen. Goodwin's office
Jerry Wells	Koch Crime Commission
Donna D. Murphy	KCSL Juvenile intake dept
Kevin Holliman	KCSL Intern
Mark Tallman	KASB
Denise A pt	USA
Pat Behrman	Olaok USD 233
Ken Behr	KACC
Selen Stephens	KPOA/KSA
Jim Youally	S M Public Schools
Gerald Henderson	USA of KS



TO: House Committee on Education
FROM: Mark Tallman, Director of Governmental Relations
DATE: February 6, 1997

RE: Testimony on S.B. 38

Madam Chair, Members of the Committee:

KASB does not have a specific policy position on the issue the compulsory attendance age. However, we appear today in support of S.B. 38 because we believe that the compulsory attendance provisions passed last session as part of the Juvenile Justice Reform Act will have little, if any, positive impact on education students who currently drop out of school, and will potentially have a negative impact on the education of the rest of our student population.

The reason is simple: it is far more difficult to educate children who do not wish to be in school than those who do. Passing a law requiring 17- and 18-year-olds to be in school does nothing to change their attitude. These students are more likely to be disruptive or require more attention from teachers, both of which infringe on the quality of education for other students.

If the Legislature wishes to make the public policy decision that high school drop-outs must be served, it must also provide districts with the resources to take on this addition responsibility with programs designed to meet the special challenges these students pose. At the same time, it must recognize that many educators are deeply frustrated with their current inability to enforce compulsory attendance laws already on the books. Adding to the reporting burden of schools for a mandate which is not going to be enforced anyway makes not sense.

Thank you for your consideration.

*Senate Education
2-11-97
Attachment 1*



Schools for Quality Education

Bluemont Hall Manhattan, KS 66506 (913) 532-5886

February 5, 1997

TO: SENATE EDUCATION COMMITTEE

SUBJECT: SB 38--COMPULSORY ATTENDANCE AGE

FROM: SCHOOLS FOR QUALITY EDUCATION

Madam Chair and Members of the Committee:

I am Jacque Oakes representing Schools For Quality Education, an organization of 111 small school districts.

We appear in favor of SB 38 which would lower the compulsory age from 18 years old back to 16 years old.

We believe that keeping students in school until 18 would be a detriment to the classroom. Kids who have decided to drop out of school have scheduled themselves psychologically to be ready at 16. They are mentally prepared to leave, and the outcome could be extremely disruptive to the classroom.

This particular group of students would certainly drive up the truancy rate, raise the drop out rate, and lower the graduation rate.

The goal is laudable, but the reality is not practical.

Please give your favorable consideration of SB 38 and return the compulsory age to 16 years old. Thank you for your time.

"Rural is Quality"

Senate Education
2-11-97
Attachment 2

KANSAS PEACE OFFICERS ASSOCIATION
and
KANSAS SHERIFFS ASSOCIATION

Senate Education Committee
Senate Bill No. 38
February 6, 1997

Madam 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 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 -- one of my LEO likened dropping out of school to jumping off a bridge -- just taking their chances. No one in this room would allow a 16-year-old to jump off any bridge or cliff - why let them quit school at 16?

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.

Senate Education
2-11-97
Attachment 3

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 of two actions for SB 38 -- table the bill or report it unfavorably -- support parents who are trying to keep their student in school, do not send the message to students that it is okay to quit at 16, 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.

At-Risk Definitions

Educational Excellence Grant Program:

The legislature adopted an at-risk definition for the Educational Excellence Grant Program. Initially, the competitive grant program had an innovative component and an at-risk component. The at-risk component is no longer funded through a competitive process. Following is the definition contained in K.S.A. 72-9901:

★ "At risk pupil" means any person who is enrolled in preschool, kindergarten or any of the grades one through 12 maintained by a school district and who is at risk of not meeting the educational goals and objectives established by the school district or of not completing the requirements necessary for promotion to grade level, grade-to-grade promotion, or graduation from high school or of not becoming a productive worker and citizen.

At risk pupils may be characterized, but not by way of limitation, by any one or more of the following indicators:

- (1) a high rate of absenteeism from school attendance;
- (2) failure to achieve grade-level standards;
- (3) failure in two or more subjects or courses of study;
- (4) two or more credits behind other pupils in modal grade in the number of graduation credits attained;
- (5) retention at grade level one or more times;
- (6) below modal grade for pupils in the same age group;
- (7) pregnancy or parenthood or both;
- (8) repeated commission of any of the disciplinary infractions specified in K.S.A. 72-8901, and amendments thereto, whether or not such conduct resulted in a suspension or expulsion from school.

9 - Identified drug or alcohol user or juvenile offender
The definition of at risk pupil does not include within its meaning any person determined to be an exceptional child under the provisions of the special education for exceptional children act.

At-Risk Pupil Assistance Plans:

As part of the school finance formula adopted in 1992, districts are able to access funds for at-risk programs. The School District Finance and Quality Performance Accreditation law, K.S.A. 72-6405 et seq., states "'At-risk pupils' means pupils who are eligible for free meals under the national school lunch act and for who a district maintains an approved at-risk pupil assistance plan." This definition is used to generate dollars for at-risk programs.

The Kansas State Board of Education; however, developed the guidelines for the at-risk pupil assistance plans. The definition for at-risk in the guidelines is based on the definition contained in K.S.A. 72-9901 (Educational Excellence Grant Program). The guidelines state:

Through "free lunch" eligibility is the method for identifying students for accessing funds, a district must develop a program which serves students identified as at-risk using the following definition: