

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Ralph Tanner at 9:00 a.m. on February 18, 1999 in Room 313-S of the Capitol.

All members were present except:

Committee staff present:

Ben Barrett, Legislative Research Department
Carolyn Rampey, Legislative Research Department
Avis Swartzman, Revisor of Statutes
Connie Burns, Committee Secretary

Conferees appearing before the committee:

Representative Lisa Benlon
Adam Benlon, Student Shawnee Mission Northwest
Becky Leever, Student Shawnee Mission Northwest
Evelyn Ewing
Geri Haskins
Stacey Farmer, KASB
Mark Desetti, KNEA
Jim Yonally, Shawnee Mission Public Schools
Bob Vancrum, Blue Valley USD #229/Wichita

Others attending: See attached list

Hearings on **HB 2304 - High school students, community service class required for graduation** were opened.

Representative Lisa Benlon appeared before the committee as the sponsor of the proposed bill. She explained that after talking about juvenile justice issues, that if there were more programs that involved students in their communities throughout the state, that turning the lives of some of these students around prior to spending large sums of money on them in the JJA system. The bill was introduced as a mandate. A two minute video was shown on the community service class at Shawnee Mission Northwest. ([Attachment 1](#))

Adam Benlon and Becky Leever, students at Shawnee Mission Northwest, appeared as a proponents of the bill. The program began in 1991 with 17 students. There are five classes a day with full capacity for the 1998-1999. The classes visit nursing homes, rake leaves, have parties and dances for the elderly. They provide Thanksgiving dinner for Aids patients. They walk pets for those who can't get out. The students speak to civic groups about volunteering in the community. They feel this class has been extremely beneficial in their awareness to the community.

Evelyn Ewing, Volunteer Director for Lakeview Village, appeared as a proponent of the bill. She believes that there is wonderful magic between two generations. The elderly have become great mentors to these students. She always goes to the school and talks to the students and tells them that working with the elderly may not be for everyone, but to go where the students can make the most differences.

Geri Haskins, Chairman of Inter-generational Advisory Board, appeared as a proponent of the bill. She felt that this program was very beneficial to both generations. She knows the mandatory thing is going to be a problem, but feels that sometimes you have to use the mandatory to get the program started.

Stacey Farmer, KASB appeared as a opponent of the bill. KASB opposes the bill for two reasons. First, we believe that school boards, acting on behalf of their community, should determine curriculum and graduation requirements. This bill represents a state curriculum mandate. If community service is an appropriate requirements, it should be determined by the local school board, staff, site council and community. The second concern is related to the first, it represents an unfunded mandate. ([Attachment 2](#))

Hearings on **HB 2304** were closed.

Hearings on **HB 2303 - School district finance, at-risk pupils, definition revised** were opened.

Representative Lisa Benlon appeared before the committee as the sponsor of the bill. She stated that the bill is an attempt to correct what appears 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. ([Attachment 3](#))

Mark Desetti appeared before the committee as a proponent of the bill. He felt that the State of Kansas has recognized the need to provide for the special needs of "at-risk" children. "At risk" has been defined as "eligible for free meals under the national school lunch act".. This bill recognizes that socio-economic status is not the only indicator of difficulty in school. ([Attachment 4](#))

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION, Room 313-S Statehouse, at 9:00 a.m. on February 18, 1999.

Mark Tallman submitted written testimony on this bill. KASB stated that it is appropriate to use free meal eligibility, which is based on family income, as a factor for at-risk funding. There are clearly factors other than poverty which can put a child at risk of academic failure. KASB believes the list of additional factors proposed in this bill are appropriate criteria. (Attachment 5)

Jim Yonally appeared as a proponent on the bill. He stated that there exists some correlation between poverty and success in school, but to use that as the sole criteria is inappropriate, and he hopes that this will change by passing this bill. (Attachment 6)

Bob Vancrum appeared as a proponent on the bill. He stated that from a rational standpoint and fairness, the definition should be revised to more closely align with the children who are to be served. Of course, the next reality is that the amount of reimbursement must also be brought in line with the actual additional expenditure required. (Attachment 7)

The hearings on **HB 2303** were closed.

The meeting was adjourned at 10:55 a.m.

The next meeting will be February 19, 1999.

HOUSE EDUCATION COMMITTEE

GUEST LIST

DATE: February 18, 1999

NAME	REPRESENTING
Stacy Farmer	KASB
Dorothy F. Rockefeller	LWV
Bob Vancum	USD 229
Mark Tallman	KASB
MARK DESERTI	KNEA
Wenne Beers	Intern - Joann Flower
Mary Copeland	Hays Medical Center
Carolyn Curing	Lakeview Village Lenora
Gerry Askinel	" " "
Becky Leever	Shawnee Mission Northwest CCC
Diane Gjerstad	USD 259
Richard Catlett	Lakeview Village, Lenora
Diggs Gonzales	KACHA
Martina L. Cooper	KACHA
Scott Mentzer	Leadership Sherman County
Lyle Barker	Leadership Sherman County
Beverly Bill	Leadership Thomas County
Colleen Smith	Leadership Sherman Co.
Debbie Martin	Leadership Sherman Co.
Christie Fouberts	" " "
Wayne Lickert	Leadership Thomas Co.
John Johnson	Leadership Thomas Co. - Coles
Velma Goodhead	" " "
Shelby Skilout	Leadership Thomas County
Chuck Dempewolf	" " "
Lulani Thomas	" " "
Tracy Rogers	" " "
Julie Brewer	" " "
Jaune Debe	SQE
Michael Wime	Leadership Thomas County
Ray - Cole	" " "

Jeff Deed
 " Sherman County
 JOHN BAKER
 " " "
 BRENTWOOD
 " " "
 Shiley Brown

LISA L. BENLON
REPRESENTATIVE, 17TH DISTRICT
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TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
CHAIRMAN: GOVERNMENTAL ORGANIZATION
AND ELECTIONS
MEMBER: EDUCATION
ENVIRONMENT
FEDERAL AND STATE AFFAIRS

**Testimony in support of HB 2304
before the House Education Committee
February 18, 1999**

Chairman Tanner and Fellow Committee Members,

We've spent the last few years talking about juvenile justice issues. I am confident if we had more programs that involved students in their communities throughout the state, we would be turning the lives of some of these students around prior to spending large sums of money on them in the JJA system.

HB 2304 is dramatic. Yes, I have introduced it as the dirty, little M-word -- Mandate. I realize that alone will make this bill controversial. But the impact I have seen from a class in which I have become personally involved, is no less than phenomenal.

Let me quickly tell you what the bill does, and then I would like to turn the testifying over to some individuals who are involved in a class as the bill describes. HB 2304 would require all secondary students to have a 1/2 credit of a community service class before graduating.

Thank you for your indulgence this morning. I will be happy to answer questions you may have.



TO: House Committee on Education
FROM: Stacey Farmer, Governmental Relations Specialist
(Also representing United School Administrators)
DATE: February 17, 1999

RE: Testimony on H.B. 2304

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to appear today on H.B. 2304, which would require that students complete a community service class as a condition of graduation.

KASB opposes the bill for two reasons. First, we believe that school boards, acting on behalf of their community, should determine curriculum and graduation requirements. This bill represents a state curriculum mandate. While there is a general consensus about the academic components of a Kansas high school diploma, we are concerned about further state requirements. Time available during a student's school career is limited. State community service requirements, however beneficial, would tend to limit student choices and local board choices. If community service is an appropriate requirements - and it may be - it should be determined by the local school board, staff, site council and community.

Our second concern is related to the first. Not only does H.B. 2304 represent a mandate; it represents an unfunded mandate. Establishing a community service program would impose new costs on school districts, unless the high school already provides such a program. If the Legislature wants to encourage community service, it could do so by creating incentives, such as a grant program.

Before starting a new program, however, we hope the Legislature would provide funding for costs already required. In the base budget, in the special education, in technology and in other areas, we do not believe the state is paying for it already expects.

Thank you for your consideration.

LISA L. BENLON
 REPRESENTATIVE, 17TH DISTRICT
 REPRESENTING PORTIONS OF
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TOPEKA

HOUSE OF

REPRESENTATIVES
Testimony in support of HB 2303
before the House Education Committee
February 18, 1999

COMMITTEE ASSIGNMENTS
 CHAIRMAN: GOVERNMENTAL ORGANIZATION
 AND ELECTIONS
 MEMBER: EDUCATION
 ENVIRONMENT
 FEDERAL AND STATE AFFAIRS

Chairman Tanner and Committee Members,

House Bill 2303 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 pervue 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.

HB2303 instead, touches on issues which I believe are truly at risk. HB2303 will allow the current law to stay, but I am adding to that definition. If you pass this bill, an at risk student will then be defined 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 of 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 dommission of any of the disciplinary infractions
- . identified chemically or alcohol dependent
- . identified juvenile offenders

I know some of the above indicators may be objective and some more subjective, but I believe the above items truly may identify those "at risk" behaviors in students.

Mr. Chairman, I will stand for questions.



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

Mark Desetti Testimony Before
House Education Committee
Thursday, February 18, 1999

Thank you Mister Chairman and members of the Committee. I am Mark Desetti and I represent Kansas NEA. I appreciate this chance to visit with the committee about House Bill 2303, a bill revising the definition of "at-risk students."

For many years now the State of Kansas has recognized the need to provide for the special needs of "at-risk" children. "At risk" has been defined as "eligible for free meals under the national school lunch act." House Bill 2303 recognizes that socio-economic status is not the only indicator of difficulty in school. The ten indicators in House Bill 2303 all point to classroom performance or factors that do or may prevent a child from attending school, thus affecting classroom performance. These students certainly should qualify as "at risk."

The standards Kansas has set for students guide us in providing a world-class education to all students. Whenever students are unable to fully participate in classroom instruction, their ability to achieve world-class standards is jeopardized. We owe it to all Kansans to identify those students at risk of falling behind and to provide the resources to put them back on track.

We would urge that you pass House Bill 2303 favorably for passage.

HOUSE EDUCATION
Attachment 4
2-18-99

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

1420 SW Arrowhead Road • Topeka, Kansas 66604-4024
785-273-3600

TO: House Committee on Education
FROM: Mark Tallman, Assistant Executive Director for Advocacy
DATE: February 18, 1999

RE: Testimony on H.B. 2303

Mr. Chairman, Members of the Committee:

KASB appreciates the opportunity to testify in support of H.B. 2303, which would expand the reasons for counting a student for at-risk weighting. This would, in turn, increase funding for school districts to operate at-risk pupil assistance programs.

Most student performance measures show a large and disturbing disparity between students eligible for free meals and students who do not qualify for such support. We therefore believe that it is appropriate to use free meal eligibility, which is based on family income, as a factor for at-risk funding. But there are clearly factors other than poverty which can put a child at risk of academic failure. We believe the list of additional factors proposed in this bill are appropriate criteria.

School districts are committed to raising academic performance for all students. Addressing the needs of children identified in this bill will take additional resources. H.B. 2303 would help provide those resources.

Since 1992, student performance measures in Kansas show sustained improvement. The next challenge is reaching students at risk. We believe a greater investment in programs to assist those children will pay back the state many times over.

Thank you for your consideration.

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TESTIMONY BEFORE THE HOUSE COMMITTEE
ON EDUCATION

Mister Chairman, and members of the committee, I am Jim Yonally, representing the Shawnee Mission School District. I appreciate the opportunity to appear today in support of HB-2203.
2303

Some of my colleagues will vouch for the fact that we have opposed the singular definition of an "at risk" student as one who is entitled to receive a free lunch, since the opening discussions of this school finance plan in 1992. To indicate that all poor students are at risk of being successful in the school setting is being terribly unfair to the ability and dedicated spirit of those children. Likewise, to suggest that students who are above the poverty level used to determine eligibility for a free lunch, are immune from being at risk is being equally unfair and unrealistic.

We have never challenged that some studies may have suggested that there exists some correlation between poverty and success in school, but to use that as the sole criteria is inappropriate, and I hope that you will change that by passing this bill. I would also, admonish you that you should properly fund this change when it come time to make the appropriation. The change in this bill will cause a shift of funds, if the legislature doesn't fully fund the program.

I would be happy to attempt to answer any questions.

**House Education Committee
Representative Tanner, chairman**

Testimony on H.B. 2303

*Submitted by Bob Vancrum
Government Affairs Specialist
Blue Valley Schools*

February 18, 1999

Mr. Chairman, members of the committee:

Thank you for the opportunity to appear in support of H.B. 2303, a bill that would amend the definition of at-risk students in the school finance act. I represent Blue Valley Schools, USD 229. I am joined in this testimony today by the Wichita Public Schools.

This issue has been on our legislative platform for several years. The issue is how to define those students who are "at-risk" of academic failure, thus needing special services and attention in order to succeed in school.

We know that the current definition, restricted to students who qualify for free lunch under the federal program, is a convenient short cut to determine the total number of students eligible, but is not in line with the number of students served or *who* is served. I am certain it is easier to audit and administer for the state department of education. But this formula is wrong.

There is no doubt some students on free lunch are not "at-risk" -- and many who are *not* on free lunch are truly "at-risk" of failing academically. The lives of these students are scarred, often times by situations beyond their control. Sexual abuse, drug abuse, alcohol abuse all contribute to a student's inability to concentrate on schoolwork. Broken homes, being uprooted and moved across the state or just the city can contribute to a child falling behind academically.

From a rational standpoint and fairness, the definition should be revised to more closely align with the children who are to be served. Of course, the next reality is that the amount of reimbursement must also be brought in line with the actual additional expenditure required.

The Governor's proposal to increase the at-risk weighting from 8% to 9% will be a welcome help to those districts with high concentrations of these students. But either percentage is simply not adequate to meet the real needs that teachers see every day.

The at-risk weighting raises only \$297.60 per student for the entire school year. \$297.60 will not buy the additional teacher time required, let alone supplemental materials. Students who have academic deficits need more to catch up with their peers. Teachers can bridge that gap, but it takes time. For students who did not learn the material (or were not in school to learn) teaching the subject using new instructional strategies can be done, but all those efforts take teacher time which has a cost. The at-risk dollars districts receive does not cover the cost of providing special attention for all the students who have academic deficiencies. But the weighting amount is an issue for another day.

Let us first focus on serving the actual children at risk with actual dollars, not an artificial formula. I would ask your favorable support of H.B. 2303.

Thank you, Mr. Chairman and members of the committee, for hearing our concerns.



HOUSE EDUCATION
Attachment 7
2-18-99