

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairman Kenny Wilk at 9:05 a.m. on March 1, 2001, in Room 514-S of the Capitol.

All members were present except: Representative Pottorff

Committee staff present: Alan Conroy, Legislative Research  
Rae Anne Davis, Legislative Research  
Amy Kramer, Legislative Research  
Carolyn Rampey, Legislative Research  
Tom Severn, Legislative Research  
Jim Wilson, Revisor of Statutes  
Mike Corrigan, Revisor of Statutes  
Nikki Feuerborn, Committee Secretary

Conferees appearing before the committee: Representative Jim Garner  
Greg Allen, Friends of Free State Capitol  
Dr. Ramon Powers, Kansas Historical Society  
Tom Day, Kansas Corporation Commission  
Ken Peterson, Kansas Petroleum Council  
Bob Krehbiel, KIOGA  
Representative Ethel Peterson, Inter-agency Coordinating  
Council on Early Childhood Developmental Services  
Doug Bowman, Coordinating Council on Early Childhood  
Developmental Services  
Ellen Mellard, Infant Toddler Services, Jefferson and  
Atchison Counties  
Juli Graffeo, Infant toddler, SE Kansas  
Kathy Johnson, Shawnee County Infant/Toddler Services  
Glenda Bower, Infant-Toddler Program, Capper Foundation  
Lorraine Bockorny, Rainbows United, Inc.  
Tom Laing, InterHab

Others attending: See Attached

Representative Wilk proposed the introduction of legislation at the request of the Department of Administration regarding the filing date for State's annual financial report. Motion was seconded by Representative Neufeld. Motion carried.

Representative Wilk proposed the introduction of legislation at the request of the Department of Administration regarding canteen, benefit, work therapy and key deposit funds. Motion was seconded by Representative Neufeld. Motion carried.

Representative Wilk proposed the introduction of legislation at the request of the Department of Administration regarding travel reimbursement and subsistence allowance for state employees. Motion was seconded by Representative Neufeld. Motion carried.

Representative Kline proposed the introduction of legislation regarding the Civil Service Act which would place KBI Tech officers in unclassified service. Motion was seconded by Representative Nichols. Motion carried.

Representative Wilk proposed the introduction of legislation regarding the Kansas Police and Firemen election from KPERS for the Department of Correction "security officers." Motion was seconded by Representative Neufeld. Motion carried.

Representative Nichols proposed the introduction of legislation regarding the Child Welfare Reform Act relating to SRS foster care, adoption and family preservation imposing duties and accountability. Motion was seconded by Representative Landwehr. Motion carried.

Representative Nichols proposed the introduction of legislation regarding the Child Welfare Reform Act also relating to SRS foster care, adoption, and family preservation, emphasizing accountability. Motion was seconded by Representative Landwehr. Motion carried.

Representative Nichols proposed the introduction of legislation regarding the Kansas Skills for Successful Schools program. Motion was seconded by Representative Landwehr. Motion carried.

#### **Hearing on HB 2387 – Civil rights history task force**

Representative Garner presented testimony in support of the establishment for a civil rights history task force appointed by different interests including legislative leadership, the Governor, the State Historical Society, and the Board of Regents (Attachment 1).

Greg Allen, President of the Friends of the Free State Capitol, shared the history of the Friends involvement with Constitution Hall and the first State Capitol (Attachment 2).

Dr. Ramon Powers, Executive Director of the Kansas State Historical Society, reviewed a number of programs the Historical Society sponsors with a civil rights theme (Attachment 3).

As there were no opponents to the bill, Chairman Wilk declared the hearing on **HB 2387** closed.

#### **Hearing on HB 2524 – Abandoned oil and gas well fund, Kansas Corporation Commission**

Tom Severn, Legislative Research Department, explained the bill which would provide certain funding for the Abandoned Oil and Gas Well Fund from July 1, 2002, to July 1, 2009 (Attachment 4).

Tom Day, Kansas Corporation Commission, presented testimony in support of the bill which would extend the fund which addresses the problem of both abandoned oil and gas wells and exploration and production related contamination sites (Attachment 5).

Mr. Day responded to questions regarding responsibility of the land owner for the plugging and capping of oil and gas wells. Many of these wells are very old and the original owners are no longer alive nor are the owners of the mineral rights at that time. The possibility of the state plugging and capping the wells and then placing a lien on the property which would be paid at the time of the property sale. At this time the owners of the property receive a tax credit when they plug or cap the wells themselves. Many of the existing wells are very dangerous in that when one well is capped, it can cause as many as 40 others to explode. Many of the casings have been cut below ground level, were inappropriately plugged with mud and are very dangerous to not only the environment but water resources as well.

Ken Peterson spoke in support of the bill on behalf of the Kansas Petroleum Council, the Kansas Independent Oil and Gas Association, and the Eastern Kansas Oil and Gas Association (Attachment 6). He reminded the Committee that the existing conditions of the abandoned oil and gas wells started occurring before regulatory measures were put into effect and the problem could not be solved overnight.

Bob Krehbiel, KIOGA, stated he was not aware of any wells on the abandoned well list which would be available for the CO<sub>2</sub> project.

There were no opponents to the bill and Chairman Wilk declared the hearing on **HB 2524** closed.

#### **Hearing on HB 2522 – Transferring infants and toddlers program from authority of Kansas Department of Health and Environment to Board of Education**

Rae Ann Davis, Legislative Research Department, explained the bill which would transfer the authority of the Infants and Toddlers Program to the Board of Education along with the transfer of certain FTE's and their salaries, for a savings of \$164,000 to the program.

Representative Ethel Peterson presented testimony from her role as an appointed member of the Inter-agency Coordinating Council on Early Childhood Developmental Services (Attachment 7). She suggested the Committee request an interim committee study this issue with adequate hearings prior to making major changes in the program.

Doug Bowman, Coordinating Council on Early Childhood Developmental Services, presented informational testimony on the proposed designation of a lead agency for Part C of the Individuals with Disabilities Education Act (Attachment 8). He recommended a careful review of the potential impact on children and families before any changes in a successful program are made. Mr. Bowman reminded the Committee that effective, efficient, collaborative, and family-centered services to young children with disabilities and their

families must remain the cornerstone from which any decision is made.

Ellen Mellard, Coordinator of the Infant-Toddler Services for Jefferson and most of Atchison County, offered testimony in favor of the suggested transfer of authority to the Board of Education (Attachment 9). KSDE has a vested interest in reducing the effects of disability in a child's first three years so that children will need less or no services at age three, thus reducing the need for special education as well as knowing which of those children are at transition.

Juli Graffeo, Speech-Language Pathologist and Program Coordinator for the Infant Toddler program for 11 counties in southeast Kansas, reminded the Committee of the strong history of support for infant/toddler services by the Department of Education (Attachment 10).

Written testimony in support of the proposed transfer was provided by Phil Rust, REACH Preschool in Cowley County (Attachment 11).

Kathy Johnson, Coordinator for Shawnee County Infant Toddler Services, spoke in opposition to the bill because it threatens the collaborative nature of their services and their largest funding source, categorical aid (Attachment 12). They have not been able to access this funding source through any local school district because they are not required to flow through this funding. United Way and Topeka Association of Retarded Citizens are also major funding areas which would be diminished.

Glenda Bower, Infant-Toddler Program of The Capper Foundation, presented testimony in opposition to the proposed transfer of authority (Attachment 13). The Capper Foundation is a private, not for profit organization and are largely supported by private donations which has allowed support for the Infant-Toddler program well beyond what is received from the Part C grant and categorical aid.

Lorraine Bockorny, Executive Director of Rainbows United, Inc., Sedgwick & Butler County Lead/Fiscal Agent Infant Toddler Services, reminded the Committee of the successes KDHE has had as the lead agency for the Infant/Toddler program (Attachment 14). She urged caution in transferring the authority for the program to the Department of Education as they could be perceived as another "let the schools handle it" excuse rather than this being a more locally handled project which has drawn strong community support.

Mrs. Bockorny presented the Committee with testimonial letters from the following parents and professionals in opposition to the proposed transfer of authority:

Vanessa R. Lohf, Connecting Point, 340 South Broadway, Wichita, Kansas 67202 (Attachment 15)  
Margaret Vorhees, The Boeing Company, Company Offices Internal Audit, Wichita (Attachment 16).  
Maureen Hofrenning (Attachment 17)  
Peter and Julie Crooks, 3750 S Dugan, Wichita, Kansas 67215 (Attachment 18).  
Crista Allen (Attachment 19)

Tom Laing, Executive Director of InterHab, recommended that the bill not be adopted as local funding would be jeopardized (Attachment 20).

Chairman Wilk declared the hearing closed on **HB 2522**.

The Committee encouraged those persons who work at the local level in such programs as the Infants and Toddlers to make suggestions how collaboration with state agencies could be improved.

The meeting was adjourned at 10:50 a.m. The next meeting is scheduled for March 5, 2001.

# COMMITTEE GUEST LIST

DATE: 3/1/01

NAME	REPRESENTING
<del>John D. Ph...</del>	Rep Shari Weber
Wayne Ellen Conley	United Way of the Plains
Tom Day	KCC
Susan Nuff	KCC
Gayne Garcia	parent
Carolyn Snelson	KDHE
Sharon Patuode	KDHE
Linda Kessen	KDHE
Alexa Pochowski	KSDE
Melinda Gaul	DOB
Josio Totter	<del>KCCD</del>
Doug Bowman	Ks Coordinating Council on <sup>Early</sup> Childhood
Joyce Cussumano	Ks CHILDREN'S CABINET
Leanne Baker	Rainbows United Inc.
Tom Luing	InterHab
Blenda Bower	The Copper Foundation
Sheila Graham	KACCT
Ramon Power	Kansas State Historical Society
Danielle Nae	BoFA





# State of Kansas

## House of Representatives

JIM D. GARNER  
House Democratic Leader



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Room 327-S  
Topeka, Kansas 66612-1504  
(785) 296-7630

### Office of the Democratic Leader

March 1, 2001

#### HOUSE APPROPRIATIONS COMMITTEE

#### TESTIMONY IN SUPPORT OF HB 2387

Mr. Chairman and Members of the Committee:

Thank you for having a hearing on HB 2387 and for allowing me the opportunity to testify in support of this bill. This bill would establish the Kansas Civil Rights History Project.

Kansas has a very rich civil rights history but I am afraid we hide it and do a very poor job of understanding and promoting this history. Kansas has played a significant role in civil rights and race relations in our nation's development. Sometimes in a positive way and other times in a negative way. We need to acquire a better understanding of this role and ensure that Kansans have an awareness and grounding based on this history. Civil Rights history is also something we should proudly promote through tourism and historic preservation.

The following is just a partial listing of important events in Kansas concerning the story of the civil rights movement:

- ★Statehood/Bleeding Kansas - whether Kansas would be a free state or a slave state
- ★The role of Kansas in the underground railroad in Kansas City, Kansas
- ★The treatment of Native Americans
- ★Women's suffrage and Kansas' earlier election of women to political office
- ★The witnessing of the rise of Ku Klux Klan activity in the 1920's
- ★The desegregation of public schools through Brown vs. The Topeka Board of Education

This is just a sampling of the many significant events in Kansas history that are in need of greater awareness, understanding and promotion.

HB 2387 would establish a task force appointed by different interests (Legislative Leadership, the Governor, the State Historical Society and the Board of Regents). The task force would make recommendations to the legislature and the governor for promoting the history of civil

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ATTACHMENT #1

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rights in Kansas. Their charge would include enhancing the teaching of civil rights history in our schools; preserving historic sites relevant to our civil rights history; and promoting tourism based on our state's civil rights history.

Heritage tourism is a growing trend in this country. Many other states are already well down the path of developing heritage tourism. The Missouri Division of Tourism is actively working to market its African-American and Hispanic history and culture.

We are not doing all we can to properly teach, promote and preserve our history concerning civil rights. This bill is simply the first step of identifying what is our history in a coordinated and unified manner. Let's not squander this rich and stimulating history that we share as Kansans.

I urge the committee to give favorable support for HB 2387. I would be glad to stand for questions.

Ten historic sites in the  
civil rights movement by Janice Somerville Chambers

**I**N 1896, Homer Adolph Plessy, an African-American, boarded a "whites-only" train car in New Orleans. Like Rosa Parks years later, he refused to move, and was arrested for violating the "Jim Crow Car Act of 1890." The U.S. Supreme Court ruled against Plessy, upholding the right of states to enact and enforce segregation law.

This watershed "separate but equal" decision inspired Deep South states to legislate rampant discrimination, forcing blacks to use separate entrances, separate water fountains, separate cemeteries—even separate Bibles in court. Many blacks who protested or even tried to exercise their right to vote, guaranteed in 1870, were harassed, beaten or murdered.

The painful years that followed culminated in the mid-20th century campaign known as the modern civil rights movement. To commemorate Black History Month, celebrated every February in the United States since 1976, we've selected 10 sites from "We Shall Overcome: Historic Places of the Civil Rights Movement," a tour created by the U.S. National Register of Historic Places.

The full tour covers 41 sites across 20 states and Washington, D.C. Some of the sites include buildings that are open to the public and feature extensive museums, while others commemorate the locations of historic structures now demolished. But all stops are worth visiting because they bring to life this landmark struggle for equality, which has resonated worldwide and inspired others to follow the sometimes perilous path forged by the movement's early leaders.

**1.) Moulin Rouge Hotel**  
Las Vegas, Nevada

As late as 1955, black entertainers working in Las Vegas were barred from casino and hotel dining areas and forced to stay in separate boarding houses. In response, a diverse group of investors opened what they called "the nation's first major interracial hotel." The Moulin Rouge was

**For more information on these historic sites, the civil rights movement and other issues, call the National Register of Historic Places at 202/343-9536 or visit the Web site ([www.cr.nps.gov/nr/travel/civil-rights](http://www.cr.nps.gov/nr/travel/civil-rights)). The National Register, established in 1966 and administered by the U.S. National Park Service, is the official government list of more than 71,000 districts, sites and buildings that are "significant in American history, architecture, archeology, engineering and culture." All properties are nominated by states through private individuals and organizations, and are evaluated using a standard set of criteria.**

fully integrated, from the employees to patrons to entertainers, who included stars such as Nat King Cole and Frank Sinatra.

*Where: 900 West Bonanza Rd. The hotel is undergoing renovation and is not yet open. Recently, the hotel was a setting for the filming of the movie "Casino."*

**2.) Shelley House**  
St. Louis, Missouri

In 1930, the Shelleys and their six children moved from Mississippi to escape racial oppression. For years, the couple saved money to buy a

home. Ethel Shelley worked in a day care center and her husband, J.D., held jobs with the railways, in construction and in a munitions factory during World War II. Finally, in 1948 they achieved their goal, only to find that "racial covenants" barred many owners from selling their property to blacks. The Shelleys located a willing seller, but a neighbor sued to enforce the rule. The U.S. Supreme Court ruled 6-0 for the Shelleys—a signal of hope that justice could prevail through the courts.

*Where: 4600 Labadie Ave. A private residence, the house is closed to the public.*

**3.) Lorraine Hotel**  
Memphis, Tennessee

Martin Luther King, Jr., Andrew Young and other civil rights leaders journeyed to Memphis in 1968 to support striking sanitation workers involved in bloody clashes with the police. King stayed at the Lorraine, a prominent hotel for blacks that drew famous guests such as jazz musician Count Basie. King planned a peaceful march, but on 4 April, he was shot and killed on the balcony of his room. In 1991, the Lorraine Hotel was converted into the National Civil Rights Museum.

*Where: 450 Mulberry in the South Main Historic District.*



The Rev. Martin Luther King, Jr., stands with other civil rights leaders on the balcony of the Lorraine Motel in Memphis, Tenn., a day before he was assassinated at approximately the same place. From left are Hosea Williams, Jesse Jackson, King and Ralph Abernathy.

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#### 4.) Central High School National Historic Site

Little Rock, Arkansas

This school is a national symbol of the often-violent reaction to school desegregation. In 1957, three years after the landmark *Brown v. Board of Education* decision, which ended segregation, the Arkansas National Guard and, later, an angry mob, blocked nine African-American students from entering the school. Order was restored only when President Dwight D. Eisenhower sent in 101st Airborne Division paratroopers. Students still attend the school, which is about 55 percent black. The National Park Service operates a museum and visitors center across the street.

**Where:** 1500 Park Street.

#### 5.) Tougaloo College

Jackson, Mississippi

Founded in 1869, this historically black private college, free from state control, was a hotbed of action. From its start, the college served all races; a white student was among its first graduating class. An exchange program with Brown University in Rhode Island continues today. President Dr. Adam Beittel, installed in 1960, led the college through the turbulent years of the movement, frequently bailing student activists out of jail. Drive-by assailants often fired on faculty housing at the edge of campus.

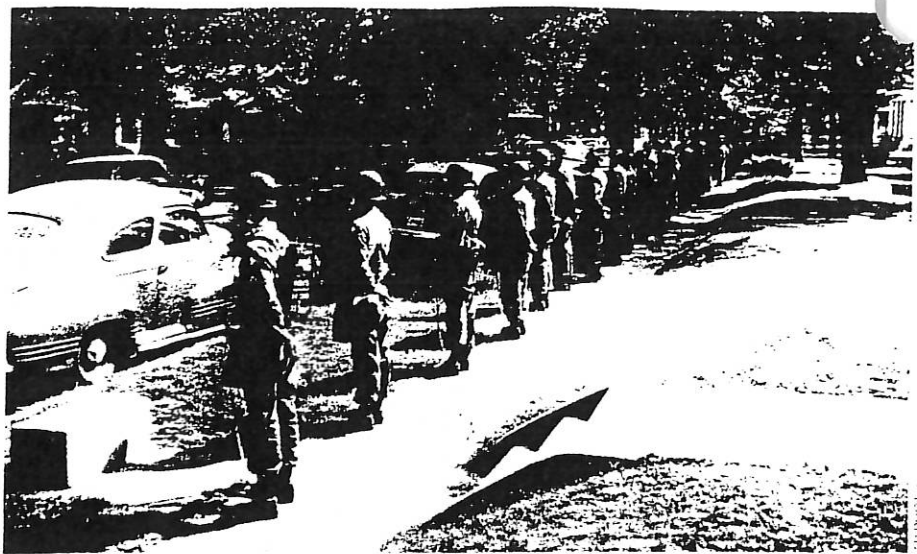
**Where:** 500 County Line Rd.

#### 6.) Sixteenth Street Baptist Church

Birmingham, Alabama

Four young black girls, dressed in their "Sunday best" and preparing to lead a Sunday school class, were murdered when the Ku Klux Klan bombed their church in September 1963. The tragedy, followed two months later by the assassination of President John F. Kennedy, galvanized the nation and helped ensure enactment of the 1964 Civil Rights Act.

**Where:** The intersection of 16th St. and 6th Ave. Tours are given regularly.



Troops of the U.S. 101st Airborne Division shield black students attempting to integrate Little Rock High School in 1957.

#### 7.) Lincolnville Historic District

St. Augustine, Florida

The oldest city in the nation also was once the most segregated. Many protests were held in this historic black community, drawing famous names such as baseball player Jackie Robinson. Even after passage of the 1964 Civil Rights Act, local businesses fought compliance. For example, when the owner of a local motel observed blacks swimming in his pool, he threw acid in the water.

**Where:** Bounded by DeSoto Place and Cedar, Riberia. Cerro and Washington streets.

#### 8.) Martin Luther King Jr. National Historic Site

Atlanta, Georgia

This site also includes the Sweet Auburn Historic District, once called "the richest Negro street in the world," and the Martin Luther King, Jr. Historic District. Visitors can tour King's birthplace, church and the memorial park surrounding his crypt. Other attractions include The Martin Luther King, Jr. Center for Nonviolent Social Change, which continues King's mission, and the National Park Service's Visitor Center at 450 Auburn Ave., which features exhibits about King's life and the civil rights movement.

**Where:** The Martin Luther King, Jr., Historic Site and Preservation District is roughly bounded by Irwin Avenue and Courtland, Randolph and Chamberlain streets.

#### 9.) All Star Bowling Lanes

Orangeburg, South Carolina

Police and black students clashed at the segregated bowling area on 6 February 1968—four years after passage of the Civil Rights Act. Two days later, the tension erupted in violence on the campus of nearby South Carolina State. During the "Orangeburg Massacre," the police fired into the crowd, killing three students. All nine police defendants were acquitted.

**Where:** 1543 Russell St. The All-Star Triangle Bowl, as it's now called, opens at 2 p.m.

#### 10.) F.W. Woolworth Building

Greensboro, North Carolina

On 1 February 1961, four black college freshmen ordered coffee at the "whites-only" counter of the local Woolworth's department store. Within a week, 400 black and white students had joined the protest, taking shifts so they wouldn't miss class. The "sit-in" served as a powerful example of what young people could accomplish through peaceful protest. The tactic quickly caught on, and by the following year, 126 cities had integrated their restaurants.

**Where:** South Elm Street (the Northeast Shopping Center) is part of the Downtown Greensboro Historic District. The building is being converted into a civil rights museum.

• Janice Somerville Chambers is a senior editor of THE ROTARIAN.

## CHAPTER 11

# African-Americans Have a Proud Legacy

**T**he rich heritage of the Coffeyville African-American community could easily fill a book of this size with tales of great achievement in the face of great adversity. From the story of the first non-Indian settler of Montgomery County, to the accomplishments of great Coffeyville African-Americans living today, the African-American legacy in Coffeyville is both fascinating and inspiring.

Relations between the races in early-day Coffeyville were apparently absent the strife that racism would breed in the early years of the 20th Century. African-American citizens in and around Coffeyville were generally entitled to the same privileges as the early white settlers, and children of both races studied side-by-side in many early schools. Early newspapers reported on few incidents related to race, and generally treated the early settlers of color with a measure of respect.

Undoubtedly, the good will between the races in Coffeyville's early days was a product of town leaders who had fought against slavery in the "Bleeding Kansas" days leading up to the Civil War. Town founders J.A. Coffey and Napoleon Bonaparte Blanton had been active in the Free State movement. Many other citizens had likewise fought for the Union Army in the Civil War, and thus risked their lives in part to end the institution of slavery.

As reported earlier in this book, an African-American is widely credited as being the first non-Indian settler in Montgomery County. Lewis Scott, a former slave, settled as early as February 1867 just east of what was to become Coffeyville on the Verdigris River.

Coffeyville has had a significant population of African-Americans ever since its earliest days. Paul Harper, in his book, *Surely it Floweth With Milk and Honey*, reported that Coffeyville had the largest population of African-Americans in the mid-1870s. He gave the following account on Coffeyville's African-American community:

*The town of Coffeyville had a dramatic increase in its black population. By 1875 there were 75 blacks in the town of Coffeyville. All of the adults had been residents of southern slave holding states, such as: Tennessee, Kentucky, Arkansas, Missouri, North Carolina, South Carolina, and Alabama. Fourteen were listed as having come to Coffeyville from the Cherokee Nation or Indian Territory. Five were listed as farmers, five as laborers, eight as servants, two as barbers, three laundry women, one blacksmith, one plasterer, and one, Henry Carter, 12 years of age, born in Arkansas, was a herder.*

Many of Coffeyville's early African-American residents were participants in a flight from the former slave-holding southern states, in what at the time was compared to the "Exodus" of the Bible. Indeed, the pioneers in the ox-pulled wagon trains that headed to western states such as Kansas were called "Exodusters."

## The Votaw Colony

In 1879, an African-American living in Texas made the decision to lead his family and friends from the Texas system of sharecropping, which had too many similarities to slavery. Paul Davis and his wife, Martha, led their 16 children, and about 25 other Shelby County, Texas families on a long journey north to the "promised land" of Kansas.

They traveled by ox-drawn covered wagons and a variety of other horse-drawn vehicles. Some rode horseback, and some walked.

Their first journey led them to Burlington, Kansas, where a number of "Exodusters" were converging. But Burlington proved to be anything but a "promised land." A virus broke out among their cattle, and they were forced by white farmers to send the stricken animals back to Texas. After enduring many hardships, the Texas "Exodusters" migrated to Montgomery County, where some located in Independence, and others, including Paul Davis and his family, settled near Coffeyville.

Following their long journeys from Texas and from Burlington, the new emigrants came to Montgomery County in need of land and the most basic supplies required for living.

Their plight became known to fellow African-American Daniel Votaw, a Quaker attorney and humanitarian, who lived in a Quaker settlement six miles southeast of Elk City. He soon was to dedicate much of his life to helping the Montgomery County "Exodusters." A *Southern Kansas Tribune* article published on March 31, 1880 (as cited by Harper in *Surely it Floweth With Milk and Honey*) gave the following account:

*Mr. Votaw and his wife are constantly traveling with their team, on the circuit of 120 miles, extending into the Indian Terri-*



Paul Davis

*tory, distributing to the necessities of the colored refugees from the South. He has near one thousand upon whom he bestows charity. Other hundreds have found homes and are now self-supporting. A very great number are earning a partial support, and he exercises his judgment giving to them meal, beans, bacon and clothing as he thinks their necessities demand...*

*... On Opossum creek (in Indian Territory) there is a camp of 92, three miles from Coffeyville, forty-four in another camp, at Morgan's place, eight miles from Coffeyville, there is another camp.*

Harper cited a letter from Votaw to Laura Haviland, early in 1880:

*Some women and children barefoot, feet frozen. One man's hands were so frozen that the fingers came off at the knuckles. They were mourning the death of five of their company, who were frozen to death coming to Kansas.*

Votaw founded the colony that was to bear his name in 1881. It was located on the southwest quarter of section 24, Township 34, Range 15 E (about two miles north of Coffeyville). The group was made up of the former Texans who were led by Paul Davis.

A transfer of title from E. P. Allen and wife to Mr. Votaw was recorded on June 1, 1881. Votaw then transferred the land to Paul Davis and the other former slaves.

An old plat record indicates the tract was broken down into 20 square lots of eight acres. However, some were deeded in double lot size, or 16 acres.

In the list of original grantees are these 18 names: R. Alexander; Martha Coleman; Abra Gudden; William Gilbert; Henry Hill; William Jones; Wesley Mattock, Sr.; Betty Seastnurk; Susan Saunders; George Saunders, Thomas Saunders; Thomas Teal; Alfred Teal; George Lovell Benjamin and Charlotte Igman; Robert Hopson; Paul Davis; Ancrum Goodwin; and Andrew Teal.

The children of Votaw Colony attended Kalloch school alongside white children.

Harper cited a story published in the *Elk City Star* on August 4, 1882:

*Mr. Daniel Votaw, who had recently been among the colony of refugees he settled down near Coffeyville a couple of years ago, says that he finds them all doing well, and with scarcely an exception making a comfortable living, averaging fully as well as white people. They are raising their own provisions, and selling wood enough in Coffeyville to pay for necessary purchases, leaving their cotton crop, that will realize \$500 as profits. All the merchants down there are crediting them right along and say they are as good as white farmers.*



The colony thrived for most of 20 years, although there were repeated problems caused by Verdigris River floods. Among the buildings erected at the colony was a community building, which also housed the Mt. Caanan Baptist Church. Rev. Cornelius Johnson of Chetopa was the first preacher to hold meetings at the colony. Rev. Charles Teal also conducted meetings there.

Olga Jewell Heaven, in a Votaw Colony history written for this book, described the events leading up to the death of the colony in the early 1900s:

*The leader's death and flooding caused the dissolution of the colony. W. Carlton Hall purchased a 16 acres lot and W. S. King, another adjoining landowner, bought an 84-acre parcel of the colony site...*

*Paul's widow, Martha, had adjoining farmers cut their frame house in four parts, load them on hay racks and reassemble them, where it now stands at 121 E. North Street. Mrs. Webber, the last survivor, who was born in the colony October 5, 1892, occupied the structure until her death in April 1985.*

*Descendents of the colonists account for approximately 17 percent of Coffeyville's present African-American population.*

## Racial Tensions Erupt

Unfortunately, the good will between the races in Coffeyville slowly eroded in the early years of the new century.

In the years following World War I, America entered into an increasingly isolationist mood, and a product of this mood was increasing criticism of "foreigners." This small-minded contempt was widened to Jews, Catholics, and African-Americans — anyone who wasn't both white and protestant.

The Russian Revolution of 1917 also added fuel to the fire, bringing the "Red Scare" to the United States. Groups such as the Ku Klux Klan seized upon the "Communist Threat" to incite hatred against anyone who looked or thought differently than they.

During the early 1920s, the Ku Klux Klan made great inroads into Montgomery County, first establishing "Klaverns" in Coffeyville, Independence and Caney. Klan members had effective control of several county businesses, as well as several newspapers.

In 1920, a race riot broke out in Independence following the murder of a white businessman, which a white witness had blamed on an unidentified "Negro." When a group of vigilantes wanted to lynch a man who had been arrested, they were met with a much smaller group of African-Americans who had gathered to stop the lynching. The conflict escalated into violence, and lives were lost on both sides.

Harper, in *Surely it Floweth With Milk and Honey*, paints a vivid and chilling picture

of Klan activity in Montgomery County during the 1920s. Coffeyville, Harper states, was "without doubt, the strongest Klan center in the county."

Harper identified several of the known Klan members of the time, who included Ralph Mitchell, for whom the Ralph Mitchell Zoo in Independence was named, and Charles D. Ise, for whom Ise Athletic Field in Coffeyville was named. C.C. Drake, who wrote *Who's Who: ...*, was also linked by Harper to the Klan. According to Harper, one of the newspapers Drake ran, the *Coffeyville Dawn*, was "the official Klan newspaper of Montgomery County." In *Who's Who: ...*, Drake denied the *Dawn* was used to espouse the views of the Klan, but he was careful in his wording not to criticize the Klan itself. At any rate, the offices of the *Dawn* were destroyed on December 8, 1924, by a nitroglycerin explosion.

At the peak of the Klan's influence, membership in Montgomery County was in the thousands. White-robed Klansmen paraded through Coffeyville and other cities in long lines of cars, crosses were burned, and Harper documents at least one violent act performed against an African-American by members of the Klan.

On October 28, 1922, the governor of Kansas, H.J. Allen, came to Coffeyville to speak out against the Klan. It marked the beginning of a full-scale effort to purge Klansmen from Kansas politics and to generally weaken the influence of the secret society. Harper gave the following excerpt from Allen's Coffeyville address:

*It is un-American, cowardly and untrue to Christianity. They have introduced into Kansas the greatest curse that can come to any civilized people, the curse that arises out of the unrestrained passions of men governed by religious intolerance and racial hatred.*

*It brings chaos and hatred and menace to every law-abiding citizen who may fall victim to the private quarrels and animosities of men who hide their identity behind a mask.*

*Does anybody believe that we have grown so indifferent to law and order in this state as that we shall allow this monstrous attack upon individual rights to continue in this state?*

Within a few years, Gov. Allen had managed to turn the tide against the Klan. Through creative legislation, he was able to dry up the Klan dues that paid rent for Klaverns and funded Klan activities. By the end of the decade, the Klan was but a shadow of its former self, and few were mourning the loss.

## Race Riot of 1927

While the power of the Klan was waning in Kansas, tension between the races in Coffeyville was still high.

On the night of March 18, 1927, that tension boiled over into a riot that brought National Guard troops to Coffeyville to restore order. The conflict arose from allegations made by two Coffeyville high school girls who said they had been assaulted by "Negroes" the night before.

Drake, who himself had been linked to the Klan, wrote the following account in *Who's Who*:

*There had been a rumor of assault on white girls by Negroes the night before. That was the reason bloodhounds had been brought to Coffeyville and it was the reason for a demonstration at the city hall the night following when officers sought to question a Negro suspect of knowledge of the alleged assaults.*

*Damage estimated at \$500 was wrought to windows, entrances and an elevator in the building, while the late Elmer Joyce, mayor of Coffeyville, and the late Walter D. McCrabb (also linked to the Klan) were endeavoring to obtain an order of release of Troop B, 114th cavalry unit here...*

*...Later National Guard troops from Yates Center and Iola were ordered to report at Coffeyville to give any assistance to the local troop it might ask.*

*It was 10:20 o'clock the night of the rioting when the Western Union message bearing the order of the adjutant general was delivered to Capt. Noel. Ten minutes later the troop had marched to the city hall and dispersed all persons in the vicinity.*

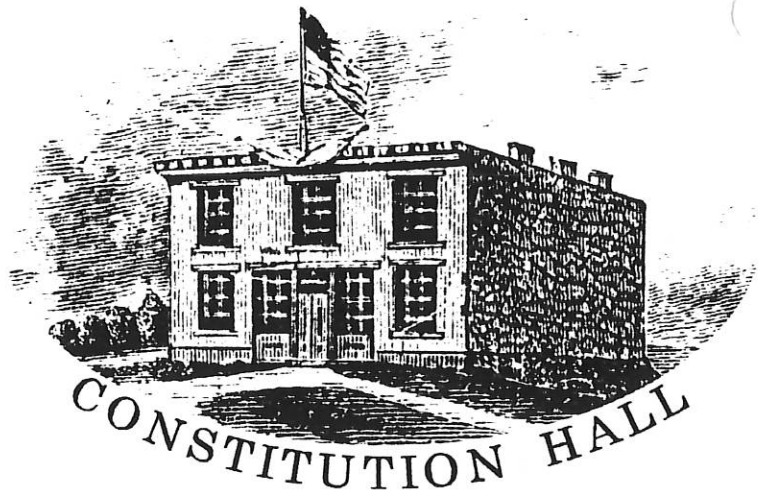
*Capt. Noel upon reaching the city hall, announced to the crowd without and citizens in general that the cavalry unit here was taking over and that a form of martial law would obtain until a later order would issue...*

*...A hose attached to a hydrant in front of the fire station was to have been used to drive back any part of the mob which might seek to enter the city hall by way of the station. A moment later the large hose had been cut in two near the hydrant. The firemen then backed up the heavy trucks against the doors of the station thus keeping any would-be invaders from getting inside.*

*Grover Jackson was commissioned early in the evening to protect the Negro held. This Negro was concealed on the roof behind a step-up in the roof construction. A Cherokee township young fellow climbed to the roof and engaged Jackson in a wrestling duel. It was by far the most dramatic and breath-taking feature of the riot program. Fifty feet above the ground Jackson and his challenger wrestled back and forth, sometimes within a foot of the roof ledge. Finally the young fellow, wearing a red sweater, skinned down a water pipe and called the fight off.*

March 1, 2001

To: House Appropriations Committee,  
Kansas State Legislature  
From: Gregory Allen, AIA  
President, Friends of the Free  
State Capitol



Dear Committee Members:

Thank you for allowing us to share with you some important information regarding *Constitution Hall* and our *first State Capitol*. For over three years now, the *Friends of the Free State Capitol* have been working hard to bring to the public's attention the fact that Topeka has a forgotten historic treasure, hidden by later façades, time and neglect. We want to take this opportunity to increase awareness of our good fortune to be in possession of this valuable resource, and to ask the Legislature to support passage of House Bill #2387 that can help preserve the history embodied by our project and others.

Built in territorial Kansas in 1855, before Topeka was incorporated, the building later to be known as *Constitution Hall*, was the first stone structure erected in this new settlement. However, the preeminent and critical role of Constitution Hall in the territorial period between 1855 and 1861 is of even greater historical significance. The building was soon caught up in the political turmoil history refers to as "*Bleeding Kansas*" and became the center of Freestate, abolitionist activities.

The effect of passage of the *Kansas-Nebraska Bill* in 1854 was to repeal the Missouri Compromise of 1820, under which Kansas and Nebraska and all of the Louisiana Purchase lying North of the South boundary of Missouri, except Missouri itself, were to be forever free of slavery. The bill allowed for the citizens of Kansas and Nebraska to decide their own slavery provisions. In exchange, Missouri would be admitted into the Union as a slave state.

Anti-slavery groups were strongly opposed to the bill and prior to its passage a leading figure in the Whig party, Alvan E. Bovay, held a party meeting in Ripon, Wisconsin. A resolution was made to organize a new party if the bill was passed. At subsequent meetings in 1854, the party was formed and the name "Republican Party" adopted. The first Republican convention, June of 1856 in Philadelphia, produced a resolution "...that Kansas should be admitted into the union, with her Free constitution..." (the Topeka Constitution) which had been introduced to both houses in April 1856. Their first presidential candidate, John Charles Fremont, was unsuccessful, but 1860 candidate, Abraham Lincoln, won.

With the passage of the *Kansas-Nebraska Act*, the boundary line against slavery was lost. Therefore, Kansas and Nebraska were offered as prizes to be contended for between free and slave states. Both North and South wanted to secure Kansas, and each side urged as many as possible of its own people to emigrate to the new Territory that would later become the State of Kansas.

After three abortive attempts in different locations, to prepare and adopt a constitution - all of which imposed pro-slavery provisions - a convention was held in Topeka from October 23 until November 11, 1855 in what became known as "*Constitution Hall*". The, then illegal, *Freestate Legislature* met there again in 1856 and was dispersed by federal troops under orders of President Pierce, a pro-slavery sympathizer. Nonetheless, that same legislative body met there later and drafted the *Topeka Constitution*. Many of its provisions were made part of the fourth Constitution to be considered by the legislature, written at Wyandotte in July 1859, and approved in October 1859. The subsequent political imbalance between free and slave states played a major role in the secession of the South and outbreak of the Civil War.

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In 1863, *Constitution Hall* was honored when it was remodeled and enlarged to become the *first State Capitol*, housing all major functions of state government with the *Hall* acting as the *Senate chamber*. This served the state until 1870 when our permanent Capitol was complete enough to house the Legislature.

Throughout its 145-year history, the site at *427 and 429 South Kansas Avenue* has meant many things to Topeka, to Kansas and to the nation. Some of the historically significant associations include:

- The southern terminus of the Lane Freedom Trail, a safe route for fugitive slaves leading from Topeka to Iowa
- This building was the headquarters for the free state movement--**Joseph Miller** who had his tin shop in the basement was treasurer for the Underground Railroad in the area. The moneys to assist the slaves and to pay for purchase of arms and ammunition were handled through Miller. This building was the storage place for arms and ammunition used by the early Topeka Guards for protection of the settlers in Topeka and surrounding areas. Bullets were made here by the women to be used by the militia.
- **Rev. Lewis Bodwell**, a Congregational minister and major conductor for the UGRR, held church services here and assisted fugitive slaves and citizens with food and clothing. Other denominations including, Episcopalians and Methodists took turns holding services.
- **John Kagi**, a reporter for national news services, a top figure in the freedom movement, and a supporter and fundraiser for John Brown, had his office here as a reporter for the Topeka Tribune. Kagi was "Secretary of War" for John Brown and died with him at Harper's Ferry in 1859.
- **Charles Curtis**, the only Native American ever to hold the office of Vice President of the United States had a law office here. **James H. Guy**, first "colored" lawyer admitted to practice by the supreme court of Ohio, was admitted to the bar in Shawnee County in 1884 and had his office at 429 Kansas.
- The social center for large and small events in early city life
- The office of Cyrus K. Holliday and birthplace of the Santa Fe Railroad
- The heart of business and commerce in the burgeoning years of post-1870 Topeka

The site can also have a venerable future if we act now. If restored, it can serve to remind our citizens of a proud past and a unique identity among the states. It can reinforce and complement related sites already being restored, such as the Brown vs. Board of Education, the State Capitol complex and John Ritchie House projects.

Now, if emergency actions are not taken, Topeka may lose this important piece of its heritage. Stabilization work is in progress, but much remains to be done to save the surviving historic fabric.

*Friends of the Free State Capitol* request your support and involvement in preserving this historic treasure. We will be happy to answer questions you may have or facilitate your involvement in any way possible. ----- Thank you!

*Gregory Allen*

Presentation to the House Appropriations Committee on H.B. 2387, a bill establishing the Kansas Civil Rights History Project Task Force, March 1, 2001

I am Ramon Powers, Executive Director of the Kansas State Historical Society.

I appear before you to provide the Committee with information about the Society's programs in regards to the issue before you. The Society is supportive of all efforts to enhance the teaching of any aspect of Kansas history. The Society has a commitment to producing educational materials that explore the struggles and accomplishments of all peoples. In fact we have created a fair amount of materials on African Americans, Hispanics, and Native Americans in Kansas, some of which address issues of civil rights.

The Society's African-American history trunk is a valuable tool for teachers who seek to tell the story of African-American civil rights. There are also traveling trunks on Mexican-Americans in Kansas, 1900-1950, and one on Native Americans in Kansas.

The Society's KITES (Kansas Interpretive Traveling Exhibits) program contains a number of titles related to civil rights:

Black Women: Achievement Against the Odds  
Brown vs. Board of Education, In Pursuit of Freedom and Equality  
Kansans of African Descent: Selected Portraits  
Martin Luther King, Jr. and the Civil Rights Movement  
Those Who Came Before: Mexican Americans in Kansas 1900-1950

These traveling exhibits are available for a minimal change to any group.

Some years ago, the Society published a booklet, now out of print, on "Black Historic Sites: A Beginning Point." Many articles on African-Americans in Kansas have recently appeared in our publication, Kansas History. We have likewise published numerous items on Native American tribes in Kansas and the role of Hispanics in Kansas history.

The Kansas Territory Heritage Alliance, which our staff are members of, is working on a study of underground railroad sites in Kansas. We have given our full support to that work with the hope that some of the sites identified might be listed on the National or Kansas Register.

If I can answer any further questions about these programs or others I would be happy to do so.

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SESSION OF 2001

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 321**

As Recommended by Senate Committee on  
Ways and Means

**Brief\***

SB 321 extends the sunset date in KSA 55-193, the statute that provides certain funding for the Abandoned Oil and Gas Well Fund, from July 1, 2002, to July 1, 2009.

**Background**

KSA 55-193 was enacted in 1996 to provide funding for the Abandoned Oil and Gas Well Fund, used by the State Corporation Commission (KCC) to address abandoned oil and gas wells and contamination sites that pose a threat to public safety or the environment. Besides the funding provided by this statute, the Abandoned Oil and Gas Well Fund also receives half of the state's share of the moneys received from the federal government under the Mineral Leasing Act. The KCC also expends some funds from its Conservation Fee Fund for this purpose.

This bill was introduced by the Senate Ways and Means Committee upon the recommendation of the Subcommittee on the KCC budget.

At the hearing the bill was supported by representatives of the KCC, the Kansas Petroleum Council, the Kansas Independent Oil and Gas Association, and the Eastern Kansas Oil and Gas Association. There were no opponents.

The bill also contains an editorial amendment to remove a reference to a subsection which had been removed prior to the statute's enactment in 1996.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.ink.org/public/legislative/fulltext.cgi>

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**Testimony of Tom Day**  
**State Corporation Commission**  
**Before the House Appropriations Committee**  
**March 1, 2001**  
**House Bill 2524**

Good morning, Chairman Wilk and members of the committee. I am Tom Day, with the State Corporation Commission. I am appearing here today to testify in support of HB 2524.

During the 1996 legislative session House Substitute for SB 755 created the Abandoned Well / Site Remediation Fund. The purpose of the fund was to provide additional funding to the Kansas Corporation Commission Conservation Division with which to address the problem of both abandoned oil and gas wells and exploration and production related contamination sites. In addition to the creation of the fund the legislation also established very specific financial assurance requirements for oil and gas operators within the State of Kansas.

Prior to the start of the 1996 legislative session the Division estimated that there were some 48,700 abandoned oil and gas wells located in the State for which there was no potentially responsible party available to plug the wells. A very large number of these wells dated back to a time prior to the development of comprehensive regulation or to the pre-regulatory era of the very early oil and gas industry in Kansas. Early analysis of this well data suggested that some 14,750 of these wells could ultimately be ranked as Priority I wells. These Priority I wells would be further subdivided by the level of threat that they posed to either water or environmental resources of the State. The Conservation Division's 2001 annual report on this fund and its activity with regard to this fund shows that the current inventory of abandoned oil and gas wells in Kansas now stands at 12,629 wells. Of those 11,879 wells are ranked as Priority I wells. A total of 9,319 wells from the total inventory still require plugging operations. 8,605 of those wells left to be plugged are Priority I wells. The distribution of remaining Priority I wells requiring plugging operations by action level is: Level A - 424 wells, Level B - 2,005, and Level C - 6,176. The Division is currently plugging approximately 550 or more abandoned oil and gas wells per year under this program (Figure 1). A priority schedule developed by the Division gives the highest priority to wells in the Priority I, Level A class of wells.

The physical process of locating and plugging these wells can in some cases be fairly daunting. KCC field staff locates the wells through lease inspections which generally follow a review of historical data or requests for inspections by landowners. Once courthouse records and Commission files have been checked to verify that no viable person or entity is available to plug the well the staff prepares a recommendation for plugging with State funds based on a priority ranking system. The documents prepared by staff include actual well locations as determined by global positioning system (GIS) surveys, as well as specifications for plugging operations, and specifications for equipment to be utilized by licensed plugging contractors. The Conservation Division works through the Division of Purchasing of the Department of Administration who in turn notices plugging projects for competitive bid.

The actual process of capping wells involves a number of different kinds of specialized equipment including truck mounted rigs for removing old casing and high pressure pumping equipment used to place cement plugs in the well. The downturn in the oil and gas industry during 1998 and 1999 resulted in the loss of some critical service vendors in the oil and gas industry and has made it difficult in some cases to locate qualified vendors. Most of the wells in the abandoned well inventory are located in the eastern part of the state where the oil and gas

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industry first began exploration and development. Wells in those areas are generally shallow and less expensive to plug. The Conservation Division's most recent data indicates plugging costs for eastern Kansas wells to average approximately \$2400 / well. Western Kansas wells, which are deeper and require more complex plugging procedures, average approximately \$7,200 / well to plug. Very complex downhole conditions in any area can of course drive these costs to much higher per well sums.

I would note here that the problem of abandoned and orphaned oil and gas wells is not a problem just in Kansas. Most of the mature oil and gas producing states have significant numbers of abandoned oil and gas wells with which to deal with. Some examples from other states with inventories of abandoned oil and gas wells which requiring plugging are : Texas - 17,000 wells; Kentucky - 12,000 wells; Pennsylvania - 7,600 wells; and Illinois - 4,940 wells just to list a few (Figure 2). Because of the action taken by the Kansas legislature in 1996 in addressing this issue with the creation of this well plugging program Kansas ranks second only to Texas in the number of abandoned oil and gas wells being plugged per year under a state regulatory program. (Figure 3).

During the debate on this issue during the 1996 legislative session there were projections provided that suggested that the most serious wells (Priority I, Level A wells) could be eliminated or reduced to a manageable number within an approximate six year time frame. The analysis included assumptions as to the number of wells added to the inventory each year, the effect of increased regulatory oversight, increased costs of plugging over time and depth of wells plugged, as well as other factors. While the Conservation Division is on trend to reach the goal of eliminating or controlling the number of those most serious wells in the inventory by the date of the current sunset of this program (July 1, 2002), much remains to be done in dealing with the remainder of the wells left to be plugged. Many of these wells, while not as serious a threat as the Priority I Level A wells, still pose an ongoing or potential threat to water resources.

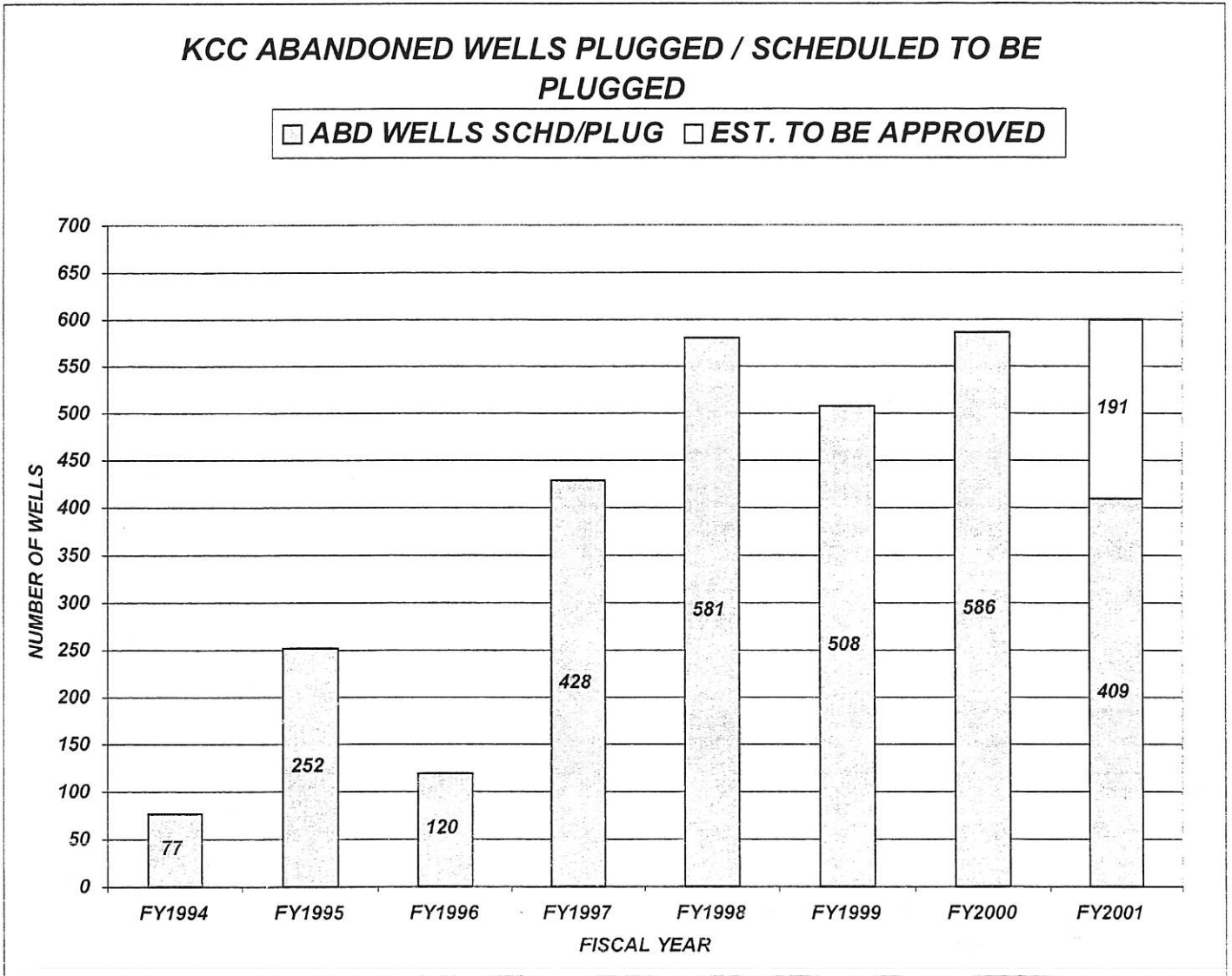
As none of the monies in the fund are to be used to hire additional personnel the Conservation Division has attempted to respond to this increase in regulatory activity and plugging oversight without any corresponding increases in the number of FTE's allocated to the Division. The Division has met that commitment during the first four years of the program. In July of this year we did hire a project coordinator to assist our field staff with processing plugging requests and coordinating bidding procedures with the Division of Purchasing of the Department of Administration. That position has allowed us to increase the number of plugging requests being processed and the current Division goal is to plug or schedule plugging operations on approximately 600 wells during FY 2001. As the current sunset date is set at July 1, 2002 we have filled the position as a temporary unclassified position. If the sunset date is extended we would contemplate asking that the position be made a permanent classified position.

In summary the Abandoned Oil and Gas Well / Site Remediation program has been successful in plugging more than 2100 wells during FY 1997 through FY 2000. The Division is on track to plug or schedule plugging operations on approximately 600 abandoned oil and gas wells in FY 2001. Authorization for continuation of this program beyond the current sunset date of July 1, 2002 as proposed by HB 2524 will allow the Conservation Division to continue to address the ongoing and potential threats to the water and natural resources of the State of Kansas from these types of abandoned wells.

Should the members of the Committee have any questions I would be glad to address them.

Kansas Corporation Commission  
Conservation Division  
Exhibits HB 2524

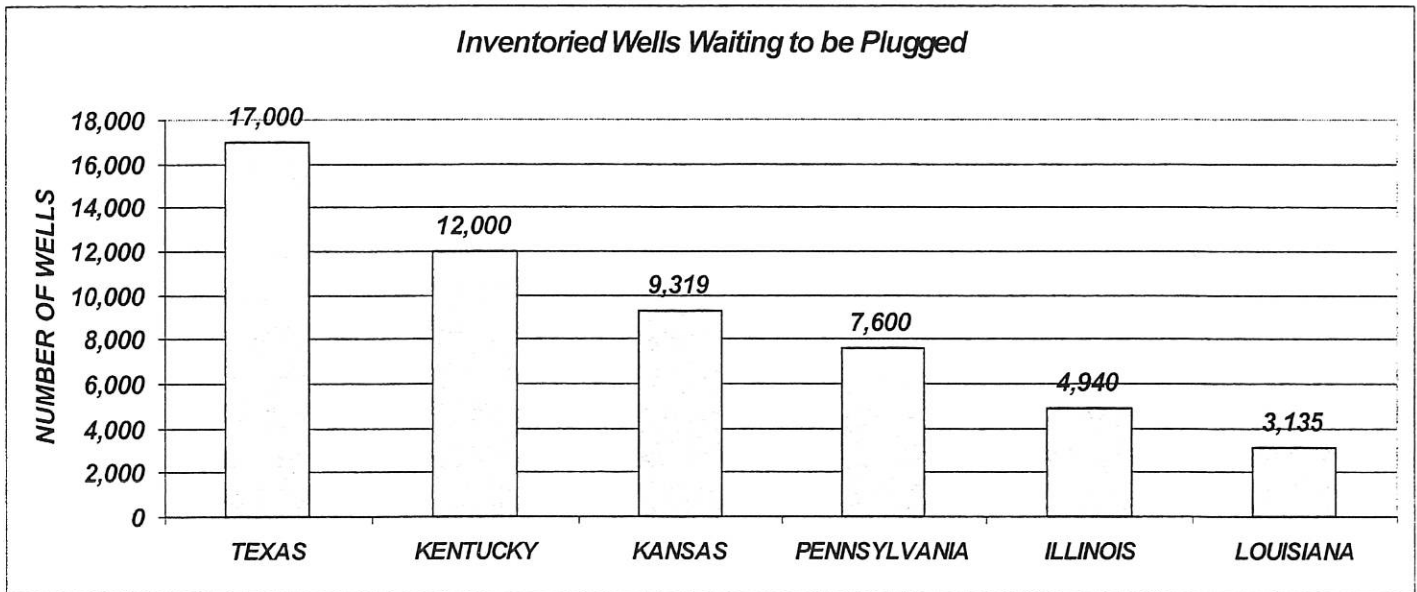
Figure 1



(Source: KCC Conservation Division)

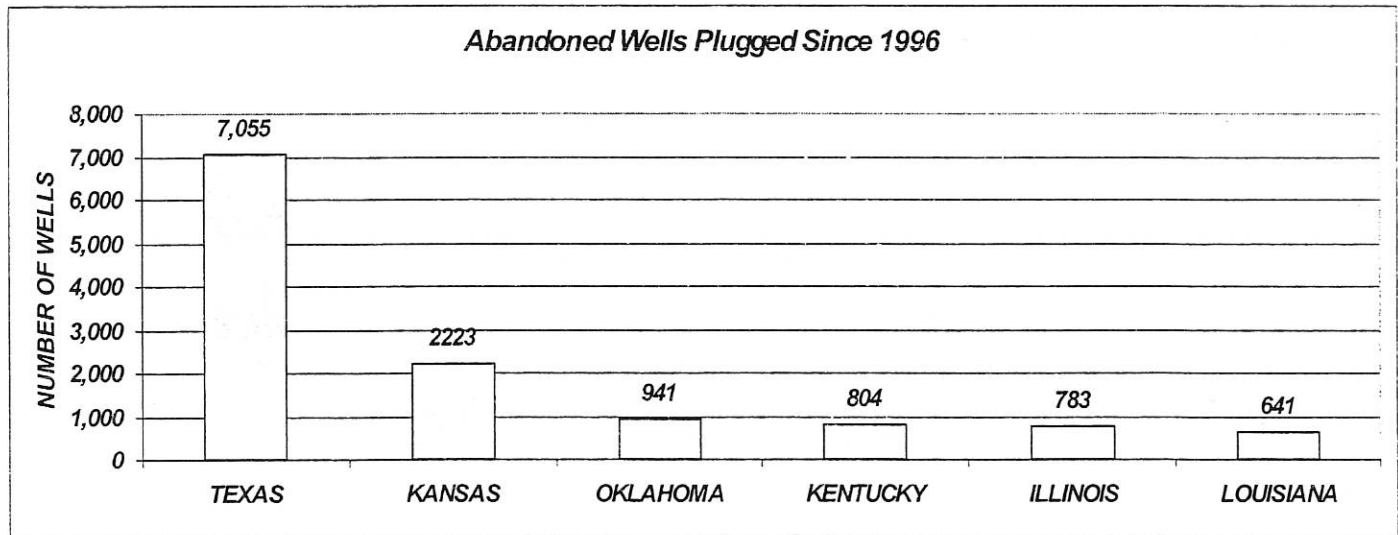
**Figure 2**

(From: KCC, IOGCC, TRRC)



**Figure 3**

(From: KCC, IOGCC, TRRC)



(\*Kansas Plugged well totals FY96-FY2000)

Joint Statement by the Kansas Petroleum Council,  
the Kansas Independent Oil and Gas Association,  
and the Eastern Kansas Oil and Gas Association

In Support of House Bill 2524

Presented to the House Appropriations Committee

March 1, 2001

Mr. Chairman and Members of the Committee, thank you for allowing us to offer these brief comments in support of House Bill 2524, a seven-year extension of the state's abandoned well-plugging program.

The 1996 Kansas Legislature created the well-plugging fund, a landmark piece of legislation that addressed not only the decades-old problem of abandoned oil and gas wells, but also established an unprecedented requirement that operators meet specific financial assurance requirements. The financial assurance requirements are meant to prove that operators have the resources necessary to plug any wells they drill.

Enactment of the plugging fund, House Substitute for Senate Bill 755, was not an easy task. With a sharp nudge from Gov. Graves, however, the bill passed after considerable negotiations involving several dedicated legislators, the leaders of industry trade associations and administration officials.

The successful program should be extended. House Bill 2524 ensures that the Conservation Division of the Kansas Corporation Commission can continue to address abandoned wells that threaten groundwater. Many of these wells were drilled in the pre-regulatory days of the oil and gas industry. The state did not get into the situation overnight, and it will take some time to adequately address the problem. House Bill 2524 is the proper answer.

Thank you for your consideration.

Ken Peterson  
Kansas Petroleum Council

Jim Allen  
EKOGA

Robert E. Krehbiel  
KIOGA

HOUSE APPROPRIATIONS

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ATTACHMENT # 6

ETHEL M. PETERSON  
REPRESENTATIVE, 116TH DISTRICT  
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DODGE CITY, KANSAS 67801  
(316) 227-6849

OFFICE ADDRESS: STATE CAPITOL, SUITE 272-W  
TOPEKA, KANSAS 66612-1504  
(785) 296-7657



TOPEKA

HOUSE OF  
REPRESENTATIVES

TO: Representative Kenny Wilk, Chairman and Members of the  
House Appropriations Committee

From: Representative Ethel Peterson, member Inter-agency Coordinating Council (ICC) on Early  
Childhood Developmental Services (Designated to Represent the House on this Council)

Re: House Bill 2522 (Change of lead agency for Part C Services for Infants and Toddlers with  
Disabilities)

I applaud you, Chairman Wilks, and your committee for your interest in the Part C Services of  
Infants and Toddlers with Disabilities.

I was only recently appointed to represent the Kansas House on the ICC and I attended my first  
meeting in January of this year. The ICC is made up of state agency staff, and concerned citizens  
and parents appointed by the Governor, a Senator appointed by the Senate President, and a  
Representative appointed by the Speaker. (This is the position I fill) Due to the extent of my  
inexperience on the Council, I was somewhat reluctant to take part in this discussion. However,  
I think some of the following may add some light to it:

First of all, this change in lead agency is not something that has been in the works, and there has  
been little or no time to discuss it within the Council. I have been impressed with the quality of  
the Governor's appointments and the incredible amount of work taking place in Kansas for  
infants and toddlers in need of help.

I am proud that the House has had a role in this effort, and know that you share an interest in the  
amount of local effort that has been contributed to augment our appropriation. The community  
groups which serve these populations make an extraordinary effort and an outstanding  
contribution to the welfare of these tiny citizens. Therefore, I want to be very sure that they are  
involved in considerations of this magnitude.

Rather than making this significant change as a mere administrative reassignment, I recommend  
we give an interim committee the charge of studying this issue with adequate hearings prior to  
making major changes in the program.

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Further, I would hope that the various community agencies and networks might be given an opportunity to both express their views and study their options. Some local funding efforts may otherwise be jeopardized.

Another concern is that we should not suddenly drop on the Education Department another agency which might become quite needy if it loses local funding. We all know the Education Department's budget is stretched to the maximum now.

Therefore, please consider utilizing your skills as a deliberative body to truly deliberate on this issue before rushing to judgement.

Thank you very much for your time and for your thoughtful consideration.

# • MAKE A • Difference

## Designation of Lead Agency for Part C (Infants/Toddlers) of the Individuals with Disabilities Education Act (IDEA) - February 2001

The Kansas Coordinating Council on Early Childhood Developmental Disabilities (State ICC) has the statutory mission to advise all of state government on matters pertaining to children aged birth through five years with (or at risk of) developmental delays/disabilities. It is in this capacity, that the Kansas ICC has prepared the attached information sheets. My name is Doug Bowman, and I am staff to the Council.

In 1986, Governor Mike Hayden made the initial decision to designate the Kansas Department of Health and Environment (KDHE) as the state lead agency for Part C of IDEA. In 1996, Governor Bill Graves made a proposal to change the lead agency designation. However, the Governor's recommendation was defeated by the House of Representatives. The current House of Representatives is recommending that the lead agency designation should be changed from KDHE to the Kansas State Department of Education (KSDE). Federal law allows the Governor of each state to make the lead agency designation. In Kansas, this is also stated in statutory law: K.S.A. 75-5648(c). Accordingly, the change envisioned by the House is encompassed in HB 2522.

However, we must note that any proposed change of this magnitude should be the result of a careful review of the potential impact on children and families. There are advantages and disadvantages to any state agency being considered as the lead agency. Regardless of what entity serves as lead agency, certain parameters, universally critical to the delivery of services, must be in place for families and communities across the state.

- True collaboration must be the goal at both the state and local levels. All funding organizations and other participating agencies must continue to contribute resources which improve the lives of young children and their families. The current systems (at the local level) should remain intact.
- Local communities must be allowed latitude to continue determining local lead and fiscal agents.
- Services must be delivered in compliance with all state and federal laws and regulations.
- Identification of disabilities and delivery of services must continue to be implemented as early as possible with each eligible child.
- Special education funding must be readily and easily accessible to each Infant/Toddler network.
- Additional funding must be infused into the Infant/Toddler system, through the release of available federal grant dollars for the upcoming fiscal year and an increased allocation of state general funds or tobacco settlement revenues.

As we discuss the possible lead agency change for Infant/Toddler Services, it is important to remember the purpose of this program. Effective, efficient, collaborative, and family-centered services to young children with disabilities and their families must remain the cornerstone from which any decision is made.

### ITS Lead Agency Remaining with Health - Advantages

1. The number of children continues to increase, the local network system is working
2. Under KDHE, family complaints have been minimal
3. Avoid the loss of some Part C staff knowledge and experience
4. Continuity of contracts (eg. site monitoring, technical assistance, Families Together)
5. Enhance connections with Healthy Start Home Visitors
6. No loss of efficiency if program is not transferred
7. The health concerns for vulnerable young children are a key consideration
8. The current system of relationships took years to establish
9. Networking, with information-sharing and training opportunities are in place
10. The collaborative nature of Part C is occurring with support from multiple funding sources at the local level

### ITS Lead Agency Remaining with Health - Disadvantages

1. Continuing fiscal questions about federal grant balances/uses
2. Difficulty in advocating for more state resources
3. Continued use of Part C funds for MCH activities
4. Failure to consistently follow through with communities after site visitations
5. Lack of development of state-level systems (eg. data management, Comprehensive System of Personnel Development)
6. Lack of open communication between program level staff and top level administrators
7. Top level KDHE administrative staff do not appear to be supportive of the Part C program

## Moving ITS Lead Agency to Education - Advantages

1. Existing data management system
2. Seamless system of child find/public awareness
3. Seamless Comprehensive System of Personnel Development (CSPD)
4. Staff familiar with IDEA laws, regulations, and federal contacts
5. Enhanced connections with other programs (eg. Parents as Teachers, Even Start)
6. Natural environment concept might encourage implementation of Least Restrictive Environment for 3-5 year old children who are in Early Childhood Special Education
7. Potential for greater support of program from lead agency
8. Transitions at age 3 from Part C to Part B might be smoother
9. Distinct single mission of services to children
10. Timely update of agency regulations and policy
11. History of advocacy for enhanced state resources for programs and initiatives
12. KSDE has current contracts (which could be modified) with some of the existing subcontractors for Part C
13. KSDE has shown leadership and advocacy for development of early childhood programs

## Moving ITS Lead Agency to Education - Disadvantages

1. Learning curve for KSDE staff and KSBE
2. Potential loss of collaborative community funding from County Commissions, Community Developmental Disabilities Organizations, United Ways, and other private funders
3. Past experiences in which Education has not been collaborative at the local level
4. Possible loss of current Part C monitoring system
5. History/Perception of Education not working holistically with the child and family
6. Potential loss of investment of community participation, time, and commitment
7. Education might struggle with comprehensive nature of services (eg. medical)
8. Re-structuring after move might lose valuable time and resources
9. Education might struggle with concept of natural environment

**EARLY CHILDHOOD COORDINATING COUNCIL OF JEFFERSON AND  
ATCHISON COUNTIES**

601 Woodson

Lecompton, KS 66050

**TESTIMONY BEFORE THE HOUSE APPROPRIATION COMMITTEE  
March 1, 2001**

Chairman Wilk and members of the committee: thank you for the opportunity to speak with you today. My name is Ellen Mellard and I coordinate Infant Toddler Services (Part C) for Jefferson and most of Atchison County. I also provide Occupational Therapy Services to children receiving special education services between the ages of three and ten years (Part B).

I wish to speak in favor of the change of lead agencies for Infant Toddler Programs from the Kansas Department of Health and Environment (KDHE) to the Kansas State Department of Education (KSDE). You already have a list before you that defines advantages and disadvantages of each agency being designated as the lead.

The greatest disadvantages with KDHE has been a very limited amount of advocacy and leadership for Infant Toddler Services within KDHE as well as the ongoing debate regarding the use of federal funds designated for Infant Toddler Services. In my opinion, these two factors have led to inadequate funding to the local networks for services to infants and toddlers.

Given KSDE's experience with advocating for and providing services for young children, it makes sense that they would be the best suited to "lead" Infant Toddler Services. KSDE has a vested interest in reducing the effects of disability in the first three years so that children will need less or no services at age three thus reducing the need for special education as well as knowing who those children are at transition.

Whether this transition occurs or not, we must have written assurances that:

1. The maximum amount of federal and state funds designated for infant toddler services be distributed to the local networks
2. A hold harmless clause be put in place for funding

In addition, if the lead agency changes at the state level, the local networks must remain intact.

I continue to be baffled by the hesitancy of this state to invest in the youngest, most vulnerable children. As you consider this change, please continue to look at adequately funding our programs for infants and toddlers. If the funding formula for education is changed, we must not be saddled with a one day count. The one day December 1 count for our local program is 29 children versus a six month count of 48 children.

I thank you for your consideration in these matters. I will gladly stand for questions.

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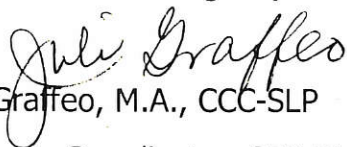
**Written Testimony: Regarding HB #2522: Change of Lead Agency for Part C Services in Kansas from KDHE to KSDE**  
Kansas House Appropriations Committee 3/1/2001

Thank you for giving me the opportunity to talk with you briefly about my opinion in regards to the change of lead agency from the Kansas Department of Health and Environment to Kansas State Department of Education. I am Juli Graffeo. I am a Speech-Language Pathologist and the Program Coordinator for the Infant Toddler program for 11 counties in Southeast Kansas.

As an individual who coordinates an early intervention program that predates the authorization of Part H (now Part C) in 1986, the Kansas State Department of Education provided the leadership that was essential for the development of community programs both then and now. When services were first developed in southeast Kansas in the early 1980's, KSDE was the partner that provided not only the financial support for the development of services, but also for training and technical assistance, and the encouragement to provide services from birth. They have a strong history of support for infant/toddler services and they currently commit the most in state dollars for this program. Therefore, I support the change of lead agency from KDHE to KSDE.

In addition to being the major provider of state financial support, KSDE has the infrastructure to support state-local coordination, data collection and information management system, training and technical assistance, and administration of a seamless system for services.

We have been under a department that has a lot of other priorities other than children and families. KSDE has demonstrated leadership and commitment to infants and toddlers and their families in the past. I support the transition to KSDE as the lead agency for Part C programs.



Juli Graffeo, M.A., CCC-SLP

Program Coordinator, SEK Birth to Three Program, 2601 Gabriel, Parsons, KS 67357; (620)421-6550 Ext. 1641

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ATTACHMENT # 10

**REACH PRESCHOOL DEVELOPMENTAL CENTER**  
**1406 East Eighth Avenue**  
**Winfield, KS 67156**  
**316-229-8304**

I would like to thank you for the opportunity to visit with you concerning the change of lead agency from the Kansas Department of Health and Environment to the Kansas State Board of Education. My name is Phil Rust, and I have directed the REACH Preschool in Cowley County since 1985 and our program which began in 1982 was one of the seven original project demonstration grants awarded by KDHE in 1987. At the present time we are serving 45 children and families in Cowley County which is a record enrollment for our program.

I favor a change of lead agency because I feel the State Board of Education administration would take a more aggressive role as an advocate for increased funding and promotion of the program. The administration at the KBSE has a good track record of advocacy for Early Childhood programs. KSBE has an existing data system which the Infant/Toddler programs could become a part of, and at the present time several Infant/Toddler programs are using this data system. Little financial resources or time would have to be committed to implementation of a data system.

If the Infant/Toddler program becomes a part of KSBE we would have a smoother transition of children at age three to the Part B program. This would enhance the concept of seamless services for all children. I also feel that collaboration with other programs such as Parents as Teachers, Part B Preschools, and Even Start would be enhanced.

The Infant/Toddler programs across the state have had a difficult time receiving adequate funding over the years. From January 1 to December 31, 1999, 3955 children were served in Kansas. This is a 36% increase in the number of children served since 1995. Our funding needs just have not kept up with the increase in the number of children we are serving. I understand that 7 Infant/Toddler programs will be asking for contingency funding this year because they are over budget.

If this transition does occur I would hope that the existing Part C Infant/Toddler staff at KDHE would be transferred to Education. They have a lot of knowledge regarding the program, and have always been good to work with. This would eliminate many problems which could occur during the transition. This transition should not be rushed. With our existing schedule Part C grant applications are due in June and a transition completion date of July 1 may cause confusion, and disruption of services.

I wish you the best of luck making this decision.

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ATTACHMENT # 11





**SHAWNEE COUNTY INFANT / TODDLER SERVICES  
2701 S.W. RANDOLPH  
TOPEKA, KS 66611**

**Testimony House Bill 2522**

**House Appropriations Committee**

**Dear Mr. Chairman Committee Members,**

**Infant Toddler Services in Shawnee County has a long history of providing quality services for children birth through age two. Comprehensive services are provided collaboratively by TARC Inc., Capper Foundation, Shawnee County Health Agency, and Stormont-Vail Regional Medical Center. TARC Inc. as the Community Developmental Disability Organization (CDDO) is the local lead and fiscal agent for Infant Toddler Services. We are currently the fourth largest network in Kansas.**

**We are opposed to H.B. 2522 because it threatens the collaborative nature of our services and our largest funding sources. In Shawnee County there is a very comprehensive service system that currently serves 330 children (yearly cumulative count). Our largest funding source is categorical aid. We have not been able to access this funding source through any of our six local school districts, because they are not required to flow through this funding. Categorical Aid can only be accessed by a local education agency (LEA). Currently we contract with Greenbush Educational Service Center for categorical aid at a cost of 7%. Many other networks in Kansas access this funding through their districts at little or no cost.**

**There are many unanswered questions about the proposed change in lead agencies from KDHE to the State Board of Education. We are fearful that if the State Board of Education became the lead agency that categorical aid would only be available through our local school districts, and thus potentially eliminating our largest funding source and local collaborative network as it currently exists. Shawnee County history supports this possible conclusion. When the mandate for the local districts to provide services for children eligible for Special Education for 3-5 year olds was implemented, both TARC and Capper did not continue to provide services.**

**We fear for the integrity of our collaborative network of Infant-Toddler Services. The provision of services by TARC Inc. as the lead and fiscal agent, Capper, Shawnee County Health Agency, and Stormont-Vail Regional Medical Center. We currently meet weekly with Stormont-Vail to**

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facilitate the transition from hospital to home for those eligible infants in the Neonatal Intensive Care Unit. Stormont-Vail donates the time of their Nurse Care Coordinator for this model program of connecting families with the Infant Toddler Services before their newborn with special needs goes home. We also have a strong health and nutrition component to our network with a long history with Shawnee County Health Agency. We currently contract for four full time nurses to support eligible children with significant medical needs. We fear all these components that represent best practice in our field are unlikely to continue if school districts are given the responsibility of the Infant-Toddler Programs.

Another potential funding loss is United Way funding for Infant-Toddler Services? If the funding is given to local school districts and TARC could no longer provide services it is likely that we would lose yet another funding source. TARC Inc. also accesses county mil levy funding for Infant Toddler Services that would not be available if the local school districts took over the provision of services.

We would respectfully request that any consideration of a lead agency for Infant-Toddler Services be a thoughtful planned process with considerable input from the local networks. The process should include a complete review of how best to support this tiny but powerful program in Kansas for it's tiniest most vulnerable citizens.

We would like assurances such as a "hold harmless clause" that would ensure equitable direct access to our current funding sources and with no loss of funding.

Assurances that our children that come into services and out of service everyday and do not receive services based on a school calendar are counted in a child count, which reflects all of the infants and toddlers served, and not just those served in one day.

As you may be able to tell, Infant Toddler Services in Kansas is my passion, not just my profession. I began advocating for services for infants and toddlers almost 20 years ago, when Gov. Carlin took an interest in children with disabilities and started the Make a Difference Network. At that time I had a medically fragile newborn little girl with cerebral palsy. I have always considered Megan and indeed our whole family fortunate to have been able to access services when she was about 8 months old at the Capper Foundation.

Thank you for your consideration and please don't compromise the integrity of our Infant Toddler Network in Kansas.

**Kathy Johnson,  
Coordinator for Shawnee County Infant Toddler Services  
2701 S. W. Randolph  
Topeka, Ks 66611  
785-233-7374**



TO: Members of the Appropriations Committee  
FROM: Glenda Bower, Ed.D., Director  
Infant-Toddler Program  
The Capper Foundation  
Topeka, Kansas  
DATE: March 1, 2001

The Infant-Toddler Program at The Capper Foundation is a component of Shawnee County Infant-Toddler Services. We have been serving families of infants and toddlers for many years and as a Part C provider have increased our services dramatically. In FY 2000 we served a total of 126 children. This year we have served 106 children to date, and currently have 66 children receiving therapy.

Because we are a private, not for profit organization, and largely supported by private donations, Capper is able to support our Infant-Toddler Program well beyond what is received from the Part C grant and categorical aid. Our total program cost for FY 2000 was \$553,363 and we received only \$130,514 from categorical aid and the local Part C grant. In addition to strong financial support, all of our staff have advanced training beyond their licensing or certification to work with infants and toddlers with developmental disabilities. But those are only two variables in the success of our program. . A more important program strength is our collaboration with the rest of the 17 agencies in Topeka that provide home visitation to families of young children.

Many of us from various agencies have been working collaboratively for over 20 years. Through that collaboration we have found that families' needs may be met in ways that no single agency can provide. We also know that providing developmental services for a child without addressing other major concerns a family has, such as mental health issues or payment of utility bills, is of little value. By working collaboratively and connecting families with other community resources, they in turn are able to turn their attention to the needs of their children.

Through that collaboration we have also worked cooperatively to determine the goals for our local ICC and the allocation of Part C grant monies. Good working relationships exist which in turn strengthens what we can offer to families.

In other words, we feel we have a strong local ICC and are able to provide a variety of much needed services for families and we obviously would like to continue doing what we are doing. We are appreciative of all we've been able to develop in Shawnee County. If however, a change in the state lead agency is made, we would request a year's transition to plan for the continuity of services for our families.

We support KDHE remaining the lead agency for Part C and therefore oppose HB No. 2522. We have a system that is working well in our community and wish to continue what we are doing to insure making early intervention as effective as possible.

Thank you for listening to our concerns.

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United, Inc.

Board of Directors

- Darryl Schmidt  
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*President*
- Kerry Gray  
Associated Advertising Agency  
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- Joe Bunk  
Certified Public Accountant  
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- Dave Franson  
*Bombardier Learjet*
- John Frazee  
*Commerce Bank*
- Cozy Goebel  
*Community Volunteer*
- Helen Healy  
*Community Volunteer*
- Jake Hesse  
*Hesse Petroleum*
- Steve Houlik  
*Allen, Gibbs & Houlik, L.C.*
- Steve Johnson  
*Total Entertainment Restaurant*
- Debbie Mitchell  
*Triad Associates*
- Roger Mulanax  
*The Law Company, Inc.*
- Connie Phillips  
*Community Volunteer*
- Roger Ramseyer  
*Koch Industries*
- Lou Ann Ritchie  
*Community Volunteer*
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*Cessna Aircraft Co.*
- Grant Stannard  
*Stannard Construction*
- Willard B. Thompson  
*Fleeson, Gooing, Coulson & Kitch*
- Vicki Tiahrt  
*Community Volunteer*
- A. Lee Williams  
*Aviation Associates Credit Union*
- Pamela Williams  
*Community Volunteer*
  
- Emeritus Board**
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Proctor Ritchie  
and  
Linda Weir-Engren  
*Founder of Rainbows United, Inc.*
- Executive Director**  
Lorraine Dold Bockorny

A child's promise of hope.

**TO: MEMBERS OF THE APPROPRIATIONS COMMITTEE**  
**Re: House Bill No. 2522**

**FROM: Lorraine Bockorny, Executive Director**  
**Rainbows United, Inc.**  
**Sedgwick & Butler County Lead/Fiscal Agent Infant Toddler Services**

**DATE: March 1, 2001**

Thank you for providing me the time to present our concerns regarding House Bill No. 2522.

**We oppose HB No. 2522 and request that Kansas Department of Health & Environment remain the lead agency for Infant Toddler Services, for the following reasons:**

Preserving KDHE as lead agency will maintain Infant/Toddler Services in the most appropriate agency, considering that the Infant/Toddler program has built its success on:

- ✓ a family centered philosophy,
- ✓ a collaborative model,
- ✓ an interagency funding base,
- ✓ relationships with community service networks, and
- ✓ KDHE expertise in health and prevention.

All of these building blocks for success are in place today because they were built on cost-efficient, grass roots collaboration. To change lead agency status would jeopardize this success – not because of a lack of commitment in the Kansas State Department of Education to children – but because the tendency around the State would be to “let the schools handle it”. We do not honor our public schools when we assume them to be the “be all-end all” for all social challenges. The assignment of children’s needs from birth to age 21 would be an enormous burden for our schools. Schools could not replace the current resources that would be lost, and infants and toddlers would pay the ultimate price of less family-centered services

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Consider the current system, and what it has offered:

- ✓ **Communities have invested heavily** in supporting a system of services through contributions of their time, energy and resources. Such investment would be at risk if lead agency status changed to Education. (See attached spreadsheet.)
- ✓ **The current service delivery system in Kansas, with KDHE as lead agency, encourages, allows and recognizes the important contribution all community service organizations** make in the delivery of critical services. That is why most states have NOT chosen to make Education the lead agency. (See attached narrative.)
- ✓ **The system in its current form is cost-effective.** Well-known research indicates that for every one dollar spent on early intervention seven dollars are saved. Data collected from the networks on June 30, 2000 indicated that 18 percent of children left the Part C system after receiving early intervention services because they no longer qualified for services on their third birthday.
- ✓ **Our collaborative approach is a forerunner to that which is now the growing trends for nationally acclaimed efforts,** such as America's Promise (under the leadership of Colin Powell), Success by Six (supported by Bank of America partnered with United Ways across the country), and Smart Start (under the Kansas Children's Cabinet). Why would we want to reverse course on a successful idea whose time has come?

When Governor Hayden (in 1986) chose to recommend KDHE as the lead agency for the infant and toddler programs, he did so with a unique and personal understanding of the success that can be attained with broad community collaboration. Governor Hayden had been heavily involved in community collaboration for the disability movement even before his election to the House. He knew that a strong collaborative community approach to problem solving would be the right way to serve families whose children were in need of help in their infancy and toddler years.

It was a right decision then, and remains a right decision today.

**We urge that you not pass House Bill 2522.**



**FINANCIAL RESOURCES SUBMITTED IN THE SFY2000 INFANT-TODDLER NETWORK GRANTS**

Category	Fiscal/Lead	Network	H&EanIGrant	ECDataAide	EDTransp.	Medicaid	CO Mill	SRSCDDO	Uway	GrantsETC	Total	
<b>Schools</b>												
1	School	Coffey CO	17,707	8,000	0	0	0	0	0	0	25,707	
2	School	ECCC-Atch,Jeff	63,913	33,997	6,200	10,000	0	5,450	0	2,160	121,720	
3	School	Emporia-FIHills	50,592	58,000	0	0	0	0	0	0	108,592	
4	School	Harvey CO	56,371	57,000	2,200	3,500	0	12,000	0	0	131,071	
5	School	Marion	16,419	16,500	1,000	1,200	0	2,500	0	0	37,619	
6	School	NW Ks ECS-Oakley	76,296	88,600	18,600	14,000	20,000	3,000	0	0	220,496	
7	School	NorthCentral-J,L,M	15,087	23,640	3,969	0	0	0	0	0	42,696	
8	School	Osage CO	63,992	49,817	6,715	841	0	720	0	0	122,085	
9	School	Pott/Waub	51,800	58,645	3,200	3,000	0	0	0	0	116,645	
10	School	Wyandotte	371,052	390,600	50,000	67,997	0	0	0	750	880,399	
<b>Dual Fiscal/Lead Agencies</b>												
11	Ed.Serv Ctr/ICC	NE Ks ICC-Hia	94,574	67,837	8,000	17,537	0	0	0	0	187,948	
12	School/ICC	Manhattan-Riley	63,473	73,148	3,169	1,694	0	0	0	0	141,484	
13	Greenbush/School	Ottawa	31,346	26,558	0	0	0	0	0	0	57,904	
14	Greenbush/School	SE Ks ECS	255,340	205,229	30,928	13,000	0	0	0	1,320	505,817	
15	Greenbush/ICC	Douglas CO	123,044	85,832	8,902	14,667	0	0	0	0	232,446	
16	Greenbush/ICC	E. CNTRL OCCK-C,R	14,879	7,728	2,202	0	0	0	0	0	24,809	
17	Private NFP/ICC	Johnson CO	825,977	895,389	15,477	70,000	0	0	0	2,783	1,809,626	
18	Greenbush/PNFP	REACH-Winfield	84,290	82,760	3,600	217,436	40,000	0	14,700	0	442,786	
			<b>2,276,152</b>	<b>2,229,280</b>	<b>164,162</b>	<b>434,873</b>	<b>60,000</b>	<b>23,670</b>	<b>14,700</b>	<b>7,013</b>	<b>5,209,850</b>	<b>Total Private/Local 105,383 4%</b>
			43%	45%	35%	37%	5%	3%	2%	5%		
<b>Other (Community Based Not-For-Profit, Hospital, or Tribal Unit)</b>												
19	Lake Mary	"Four" CO Lake Mary	60,570	46,706	0	13,200	0	0	0	50,062	170,538	
20	Arrowhead	Arrowhead	232,802	46,014	32,409	63,445	274,791	25,908	0	1,000	676,369	
21	Rainbows	Butler CO	92,828	112,410	0	6,000	0	6,000	3,750	0	220,988	
22	Tri-Valley	Clay/Wash/Ma	46,959	95,682	11,000	46,530	0	0	0	0	200,171	
23	Hays Ar Child's Cntr	Hays	72,508	131,950	1,920	30,000	117,000	46,400	25,000	0	424,778	
24	DSNWK	Kid Link	80,678	32,308	0	47,219	20,000	17,250	0	0	197,455	
25	ICC	PACT-Seward	55,412	50,000	0	75,754	15,000	0	7,600	0	203,766	
26	TECH	Reno CO	165,617	127,890	7,022	0	0	0	37,000	0	337,529	
27	Rainbows	Sedgwick CO	663,056	541,943	230,755	90,483	0	484,000	618,558	5,712	2,634,507	
28	Russell	SW KS-Garden Cty	371,773	383,480	14,742	7,489	183,307	25,000	18,000	50,000	1,053,791	
29	Futures	Sumner CO	63,451	62,524	0	15,000	3,981	24,381	0	0	169,337	
30	Sunflower	Sunflower-B,P,R	129,942	83,993	0	16,000	150,000	0	0	0	379,935	
31	TARC	Shawnee CO	372,969	494,053	0	177,200	295,843	0	100,000	17,276	1,457,341	
32	Hospital	Atchison	19,535	20,000	0	0	0	0	0	1,500	41,035	
33	Mental Health	Geary CO	185,898	113,748	7,391	15,316	0	8,000	0	0	330,353	
34	Hospital	Leavenworth	118,375	77,480	0	784	0	0	0	0	196,639	
35	County	McPherson-MCKIDS	75,637	95,189	2,314	3,871	18,108	0	0	0	195,119	
36	Tribal	PrairieBand	11,000	0	0	0	0	0	0	0	11,000	
37	Hospital	Salina	193,230	206,076	0	140,527	0	1,000	2,000	11,026	553,859	
			<b>3,012,240</b>	<b>2,721,446</b>	<b>307,553</b>	<b>748,818</b>	<b>1,078,030</b>	<b>637,939</b>	<b>811,908</b>	<b>136,576</b>	<b>9,454,510</b>	
			57%	55%	65%	63%	95%	96%	98%	95%		
<b>TOTALS</b>			<b>5,288,392</b>	<b>4,950,726</b>	<b>471,715</b>	<b>1,183,691</b>	<b>1,138,030</b>	<b>661,609</b>	<b>826,608</b>	<b>143,589</b>	<b>14,664,360</b>	<b>Total Private/Local 2,664,453 96%</b>
				<b>Total Edu.= 5,422,441</b>				<b>Total= 2,769,836</b>				

14-3

Out of the \$2,769,836 private dollars available, only 4% is being accessed by networks where the school district is lead or co-lead.

**ATTACHMENT TO TESTIMONY PROVIDED BY L. DOLD BOCKORNY, MARCH 1, 2001  
TO MEMBERS OF THE APPROPRIATIONS COMMITTEE RE: HB NO. 2522**

The Kansas Department of Health and Environment has annually documented the growth in number of infants and toddlers identified in need of early intervention services. A reported 853 received services in 1992. Almost 2,500 (2,485) individual children were counted in 2000 (December 1 child count) and 4,121 children were served during the course of a year (cumulative count).

When 3-5 year old services were moved to the Kansas Department of Education, other funds from private foundations, United Ways, County mil, etc. could no longer be accessed to support early intervention services for 3-5 year old children formerly served by various agencies across Kansas.

Data collected from the SFY2000 Infant/Toddler Network Grants indicates that 14.7 million dollars was available to networks to support the statewide system. Of the 2.8 million dollars contributed by private/local community funds, only 4 percent is accessed in those networks where Kansas' schools are identified as either lead and/or fiscal agent. In networks where other entities are the lead and/or fiscal agent, including community based not for profits, the data indicates there is a significantly greater ability to access private/local funds. The remaining 96 percent of the 2.8 million dollars from private/local community funds was accessed in those networks.

Nebraska, one of the two states with a co-lead (Education & Health & Human Services), indicates that they use NO county or private or foundation/organization dollars to support early intervention services. Federal and State Funds are used to support the total system. Although supporters of the move of Infant/Toddler Services to the Kansas Department of Education seek to assure providers that community support will not be withdrawn as a result of this change, history does not bear this out. The loss of dollars may not be immediately felt, but it undoubtedly will happen - if not next year, then the next and the next, until Education, as in Nebraska, becomes the sole source of financial support for infants and toddlers with special needs.

Across the Nation, State Departments of Health are most often identified as the State lead agency. **State Health Departments have been identified as lead in 25 states.** The breakout in the remaining states is as follows:

- Education = 14
- Human Services/Public Welfare = 13
- Co-lead (Education & Human Services) = 2
- State Interagency Coordinating Council = 1

Information provided this week from the NECTAS (National Early Childhood Technical Assistance System) indicates that 4 states recently moved the lead agency from their state department of education to their state health department.

We believe that families are more accepting of involvement with a health department system than an educational system when their children are first recognized as having special needs or risks. The Kansas Department of Health & Environment as lead agency, supports a collaborative, interagency approach to services, recognizing the family as a key component in the optimal delivery of services. We could tell you story after story that indicates the success of the current system. (A few of the more than 300 families who are current recipients of Part C services in Sedgwick County express their thoughts in letters provided.)



Although difficult to quantify, we are confident many additional children who transition from Part C to Part B services do so with developmental skills closer to their chronological age than would have been the case without the benefit of early intervention.

The Kansas State Department of Education has been asked to provide a transition plan for the movement of this program and there is no doubt that they would do what they could to be cognizant and sensitive to the current system. However, if asked, KSDE personnel will tell you that this is not a move they are supportive of and they understand the complexity of the system. We all recognize that they have their hands full.

Education has the ability to help financially support services to infants and toddlers with disabilities in the current system. Some schools, however, have chosen not to do so. Some have made it so difficult that the only way the local network is able to access state special education funds or Medicaid is by working through another more supportive district, inter local unit or cooperative.

When the change from KDHE to KSDE as lead agency was proposed in 1996, the decision was reversed following a careful study of the facts. Those facts are as valid today as they were five years ago. There does not appear to be solid rationale for making a move at this time. What is to be gained by such a move? One argument posed has been that the Department of Education could run the program for less money. A cost analysis of the current collaborative funding system, the responsibilities assumed by KDHE and the level of support they provide to local networks would indicate this is not true.

With a re-commitment from you as legislators and a re-commitment from each of the various state departments, the system of service in Kansas can be the best in the country. That will require dedication of additional dollars to support the system. Unless that happens it doesn't matter which is the designated lead agency, because the system won't ever be as cost-effective or strong as it could be. Please make sure that we take financial care of the proven current systems and that we don't require that relationships be new, or that programs have a trendy title in order to receive the necessary funds to support their success.

There certainly are areas to improve within the current system but it is not necessary to move the lead agency in order to address them. We can identify areas in which improvement is needed and be successful in fixing them in the current system as long as everyone stays committed to providing quality, cost effective services during the most critical and pliable years of a young child's life.

It is, rather, with the intent of retaining Infant/Toddler Services within the most appropriate agency, considering its family centered philosophy, its collaborative, interagency funding base, the relationships it has built with community networks over time, and the agency's association with health and prevention.



February 28, 2001

To Whom It May Concern,

I am writing this letter in response to information stating that the Kansas Legislature is considering moving the fiscal responsibility of local Interagency Coordinating Councils from the Kansas Department of Health and Environment to the Department of Education.

I am a parent of a four-year-old son, Jacob, who is significantly delayed in all areas of cognitive and motor skills due to complications related to his diagnoses of Cystic Fibrosis and prematurity. His complications resulted in his being hospitalized for 23 continuous months beginning at four months of age. While Jacob was hospitalized, I became affiliated with the Sedgwick County Early Childhood Coordinating Council and eventually became the council's Chairperson in the year 2000. As a professional, I am a licensed social worker employed by the Wichita Area SRS office in Children and Family Services.

Having been a part of the council and experiencing the services provided by our network, I would feel strongly that the children are better served under the government of the Kansas Department of Health and Environment. I have had the opportunity to sit on several other community councils, including the Wichita's Promise, as well as beginning to work with local school systems to obtain services for my son now that he is over the age of three. It has been my experience that the Educational system, with all of its regulations, is very narrow in its focus - as it well should be. However, many of the children served by our network have very significant medical needs that must be attended to. Often the educational providers will openly admit that they do not know how to access appropriate services for these children, nor do they feel it is their obligation to do so. In many cases, the physical and medical needs of the child hinders their ability to be educated if those needs are ignored. The Kansas Department of Health and Environment, however, encompasses a much broader spectrum of service providers. In our area, our network is able to include profit and non-profit agencies as well as families and community groups. It would appear that the community is more open to working with a more collaborative group than an entity with a very narrow focus.

As a parent of a child with a severe and chronic illness, we were told that our son might not live beyond three years. Education was the least of our concern. We could not envision him ever being an integral part of the "Educational" system. In fact, the thought was quite overwhelming. Our focus was to see that his medical needs were attended to and that the services he received improved his daily living - not necessarily that they

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would "educate". To bring these services under the auspices of the Educational system will likely be too intimidating to some families and reduce their participation. I would foresee community support dwindling as well. Many private donors to non-profit agencies are less likely to support these groups if they are tied to Education - simply because they see that this is a government responsibility, not a community one.

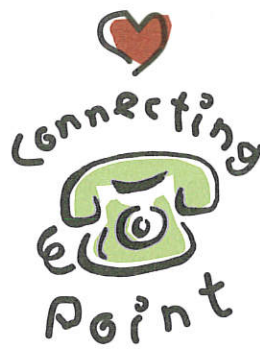
I know that Sedgwick County has worked very hard to create a collaborative network, that includes the educational system as just one of its components. I'm sure that other networks across the state have worked just as hard with the same goal. It is imperative to their success to maintain their sense of "community" and it is thought that being tied to the Department of Education would bring on more of a sense of "bureaucracy". I believe that it is in the best interest of children and families in our state to maintain the holistic view that KDHE has allowed communities to develop. This system has fostered my son's potential in ways that most professionals (and admittedly, our family) never thought possible. I believe that is a result of attending to ALL of his needs, not just his education.

Thank you for your attention.

Sincerely,

Vanessa R. Lohf





340 S. BROADWAY

WICHITA, KANSAS

ZIP CODE 67202

PHO: 316.267.3535

FAX: 316.269.0653

**Sedgwick County Early Childhood Coordinating Council  
2001 Membership List**

**Catholic Charities** 437 N. Topeka Wichita, KS 67202

Foster Grandparent Program - Lyndon Drew 269-5851, FAX: 264-4442

**Child Care Association** 1069 Parklane Office Park Wichita, KS 67218

☉ Cheryl Dunn 682-1853, FAX: 689-8713 (Child Care Services), E-Mail: [cdunn@ccaws.org](mailto:cdunn@ccaws.org)

**CCA/Early Head Start** 238 N. Waco Wichita, KS 67202

Glenda Wilcox 267-1997, FAX: 262-2425

★ Nancy Krase 267-1997, FAX: 262-2425, E-Mail: [nkrase@childcareassociation.org](mailto:nkrase@childcareassociation.org)

**Comprehensive Community Care of Sedgwick Co./Family & Children Service**

Gail Bussart 7701 E Kellogg #300 Wichita, KS 67207 681-1185, FAX: 681-0324

**Connecting Point** 340 S. Broadway Wichita, KS 67202

☉ Cayla Wasson 267-3535, FAX: 269-0653, E-Mail: [cwasson@rui.org](mailto:cwasson@rui.org)

**Family Consultation Services** 560 N Exposition, Wichita, KS 67203

Stacey Larson 264-8317, FAX: 264-0347

**Families Together, Inc.** 3340 W. Douglas, Suite 102 Wichita, KS 67203

Terry Norgren 945-7747, FAX: 945-7795

**Head Start** 1069 Parklane Office Park, Wichita, KS 67218

Edward Young 682-1853, FAX: 689-8713

**Heartspring** 8700 29th St. North Wichita, KS 67226

Jessica O'Melia 634-8710, FAX: 634-8850

**Honorary Member** 1730 N Holland, Wichita, KS 67212

Lois Vanskike 722-0564

**Juvenile Court** 1015 S. Minnesota, Wichita, KS 67211

Marcia Wasinger 383-7782, FAX: 383-8000

**Kansas Children's Service League** 1365 N Custer, Wichita, KS 67203, 942-4261

☉ Vickie Burgess McArthur 942-4261 ext 268, FAX: 943-9995

Adoptive Services - Terry Forshee 1919 N Amidon, Suite 100, Wichita, KS 67203, 821-0100,  
FAX: 821-0116

Healthy Families - Ann Perry-Morris 1365 N Custer, Wichita, KS 67203, 942-4261 ext252  
FAX: 943-9995

**K-State Research & Extension-Sedgwick County** 7001 W. 21st Wichita, KS 67205

Marilyn Toellner 722-7721, FAX: 722-7727

**Kid-Screen, L.C.** Box 265, 8918 W 21<sup>st</sup> St. N, Suite 200, Wichita, KS 67205-1880

Mary Davis-Magathan 721-2705, FAX: 721-0911

**March of Dimes** 727 N. Waco, #175, Wichita, KS 67203

Amy Ham 267-9255, FAX: 267-9272

**Parents**

☉ Vanessa Lohf 11821 Jamesburg Wichita, KS 67212 721-9872 hm

337-6684 wk, FAX: 337-7094 wk, E-Mail: [wvrv@srskansas.org](mailto:wvrv@srskansas.org)

☉ Kathy Nightingale 310 S. Shefford Wichita, KS 67209 722-8428

☉ Margaret Voorhees 3701 W. 19th Wichita, KS 67203 942-3595 hm, 523-3508 wk

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Maureen Hofrenning 8624 Stoneridge, Lot 206, Wichita, KS 67206 652-0248  
 ☞ Gloria Rader 12125 W. Ridgepoint, Wichita, KS 67235 729-8544 hm, 523-3521 wk  
**Parents As Teachers, USD #259** 412 S. Main Wichita, KS 67202  
 ☞ Kathy Clark 973-5160, FAX: 973-5162, E-Mail: [kclarkwpat@aol.com](mailto:kclarkwpat@aol.com)  
 Chris Johnston 973-5160, FAX: 973-5162  
**Part C Liaison** 340 S. Broadway Wichita, KS 67202  
 ☞ Benith MacPherson 12204 Royal Valley Creve Coeur, MO. 63141  
 267-5437, FAX: 267-5444 or 314-469-6980, FAX: 314-469-6774  
**Rainbows United, Inc.** 340 S. Broadway Wichita, KS 67202  
 ☞ Debbie Mai 267-5437, FAX: 267-5444, E-Mail: [dmai@rui.org](mailto:dmai@rui.org)  
 Lorraine Bockorny 267-5437, FAX: 267-5444  
 ☞ Suzanne Chapel-Miller 267-5437, FAX 269-0653, E-Mail: [scmiller@rui.org](mailto:scmiller@rui.org)  
**Sedgwick Co. Adolescent Pregnancy Network** 618 Doreen Court, Wichita, KS 67206  
 ☞ Margot Breckbill 634-2244, E-Mail: [sexedd@kscable.com](mailto:sexedd@kscable.com)  
**Special Health Services** 3243 E. Murdock, Suite 202 Wichita, KS 67208  
 JoAnn Matthews 688-2021, FAX: 688-2017  
**Social and Rehabilitation Services** Wichita P.O. Box 1620 Wichita, KS 67201  
 Martin Mendoza 337-7061, FAX: 337-6742  
**United Methodist Youthville** P.O. Box 47849, Wichita, KS 67201  
 Laura Almquist-Parks 265-3238, FAX: 267-5764, E-Mail: [lparks@youthville.org](mailto:lparks@youthville.org)  
**United Way of the Plains** 245 N. Water Wichita, KS 67202  
 Don Youts 267-4327, FAX: 267-0937, E-Mail: [dyouts@unitedwayplains.org](mailto:dyouts@unitedwayplains.org)  
**USD #259, Wichita Public Schools**  
 Mariann Smith Health Services Dept, Morris Administration Ctr, 201 N. Water, Wichita, KS 67212  
 973-3365, FAX: 973-3366 (Health Services)  
 ☞ Frieda Noller 201 N. Water Wichita, KS 67202-1296 973-4489, FAX: 973-4492  
**USD #261, Haysville Public Schools** 1745 W. Grand Ave. Haysville, KS 67060  
 Wanda Barnett 554-2233, FAX: 554-2272 (Early Childhood Coordinator)  
**Via Christi-St. Francis Campus** 929 N. St. Francis Wichita, KS 67214  
 Susan Willey 268-8247, FAX: 291-7963 (Pediatric Therapy) E-Mail: [sue\\_willey@via-christi.org](mailto:sue_willey@via-christi.org)  
 Marilyn Browne 268-8245 (Speech/Pediatric)  
**Wesley Medical Center** 550 N. Hillside Wichita, KS 67214-4976  
 ☞ Kathy Conley 681-8901, FAX: 681-8887 E-Mail: [kathy.conely@wesleymc.com](mailto:kathy.conely@wesleymc.com)  
**Wichita-Sedgwick Co./Department of Health**  
 ☞ Cristin Keimig 2618 E. 21<sup>ST</sup> Wichita, KS 67214 688-9567, FAX: 688-9564  
 Shirley O'Dell 1900 E. Ninth Wichita, KS 67214 268-8441 (Child Care Licensure)  
**Wichita State University** 1845 Fairmont, Wichita, KS  
 ☞ Linda Mitchell 978-6367, FAX: 978-6935 (67260 -0028, Dept. of Curriculum and Instruction),  
 E-Mail: [lmitchel@twsu.edu](mailto:lmitchel@twsu.edu)  
 Trisha Self 978-3289, FAX: 978-3291 (67260 -0099, SLH Clinic)  
**Wichita Youth for Christ** 151 N. Volutsia, Wichita, KS 67214  
 Laura Journagan 684-9932, FAX: 684-1782  
 ☆ = SCECCC Chair ☞ = SCECCC Co-Chair ☺ = Steering Committee Member (13) ☞ = State ICC  
 Member  
 Total of members: 43 Parents & Organizations (ICC00.MEM,2/13/01)



February 23, 2001

Dear Legislators:

This letter is to express my support of Infant/Toddler services remaining under the Kansas Department of Health and Environment. As you are aware, my son, Connor (now 6) attended Rainbows from three months of age to graduation at age five. Connor was diagnosed with Down Syndrome at birth, and received therapeutic services at Rainbows. There was a close tie-in with his family doctor, and information was freely shared.

Connor's brother, Jonathan (age 4), has been at Rainbows since eight weeks of age. Although not diagnosed with special needs at birth, during his time at Rainbows, developmental delays were identified by us AND the staff. We discussed the concerns, and decided a comprehensive evaluation should be performed. A pediatric development specialist was contacted through Rainbows, and a consultation was conducted with Jonathan to determine if a diagnosis could be identified. Jonathan's pediatrician and neurologist also provide medical information to Rainbows relative to services, therapies, and medications that aid in Jonathan's development. Most importantly, the family is at the center of the communication. This focus on family is critical to us as parents of special needs children.

In summary, Infant/Toddler services is a benefit to children and families under the Department of Health and Environment through its tie to the medical community and focus on families.

Margaret Voorhees  
The Boeing Company  
Company Offices Internal Audit - Wichita  
Orgn. 1-9148, M/C K79-23  
Phone: (316) 523-3508  
Fax: (316) 523-3503

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RAINBOWS UNITED, INC. RECEIVED THIS LETTER ON FEBRUARY 22, 2001  
FROM THE MOTHER OF A CHILD RECEIVING EARLY INTERVENTION  
SERVICES.

Lorraine,

I am the mother of a 22 month old son, Andrew, who is receiving services from Rainbows United. Andrew was born with a unilateral cleft lip and palate, and is currently receiving speech therapy through Rainbows.

I understand that the Kansas legislature is considering moving Infant Toddler Service from the Dept of Health and Environment to the Dept of Education. I have several concerns regarding this proposal.

1. Andrew is receiving in-home, one-on-one services currently. At his age this is the best approach, allowing him to interact with his speech pathologist in a setting comfortable to him. I would be concerned if a move of ITS to the Dept of Education would consolidate services to a school setting.
2. Andrew's speech issues are medically based, not developmentally based. His palate was repaired at age 13 months and he began services at 18 months of age. He is learning how to use his reconstructed palate to accurately reproduce sounds and words. An understanding of his "delay" and the causes requires a medical understanding of his condition, not a developmental assessment. I would be concerned that the standards for which a child qualifies for services applied by the Dept of Education could preclude Andrew from continuing to receive services.
3. The source of information and referrals for most parents regarding their children's development is their pediatrician or family doctor, particularly in the early years. By maintaining ITS within KDHE, the various organizations who provide these services have better access to the medical community, ensuring consistent and timely flow of information to parents as they are making decisions about their children's care.

Therefore, I support maintaining Infant Toddler Services as a component of the Kansas Dept of Health and Environment rather than moving it under the umbrella of the Dept of Education.

Thank you.

Maureen Hofrenning

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Peter and Julie Crooks  
3750 S. Dugan  
Wichita, Kansas 67215-1808  
316-522-3352  
ThreeCrooks@Juno.Com

February 22, 2001

Dear State Legislators and Senators:

Some disturbing news was brought to our attention this afternoon about Infant and Toddler Early Intervention Services possibly being moved from the Department of Health to the Department of Education. We do not support this move as a recipient family of these services.

Our daughter, Kellie, was born just over a year ago at 23 weeks gestation (17 weeks early) with a birth weight of 18 ounces and a length of 11.5 inches. Due to her extreme prematurity, she has developmental delays in several areas including, but not limited to, cognitive, motor, speech, and feeding. She receives early intervention services through Rainbows United in Sedgwick County including physical and speech therapy. The therapists work in harmony with her nine current physicians, something that may be lacking if they were under the umbrella of the Department of Education.

In less than five months, we are losing our current medical coverage. Because of Kellie's long and complicated medical history, we are having difficulty finding a new policy. It is comforting to know that regardless of our insurance plans, Kellie's therapy from Rainbows United will continue because of public funding, in addition to private funding. Knowing the Department of Education is lacking funds in several areas, we are afraid Kellie would not receive services under the new department. She is borderline "at risk" and may be classified as not needing services.

Kellie and her older brother, Jacob, receive services through the school district (USD 261 - Haysville) with the helpful Parents As Teachers program. That program doesn't have the necessary funds to include all children in its services and to function as needed. We do not understand how the Department of Education could support Infant and Toddler services with the same, current level of quality. The Parents As Teachers instructors do not have the necessary education to perform physical, occupational, or speech therapy. Please let the individuals trained in those areas continue to carry out their work as the medical professionals they are, not as "educational" professionals.

Kellie's life is chronicled at her website - <http://homestead.juno.com/threecrooks/kellie.html>. Please visit it for information on our "Millennial, Micropreemie Miracle".

We urge you to support the Infant and Toddler services as they now stand. Thank you for your time. Please contact us for any clarification of our viewpoints.

Sincerely,

Julie and Peter Crooks

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February 28, 2001

Dear Legislators:

I am a recent mother of an infant born early at 23 weeks gestation. I am also a first time mother. Being all these things alone would be frightening enough, but add on top of that the wonder every day of the doctors, nurses, and therapists, as well as the parents as to what disabilities, if any, this infant would or does have. And as a parent, if my infant has a problem or disability, where to go for help and how to deal with this infant.

In the hospital, we were very lucky. Through 10 1/2 weeks on the ventilator, our infant being involved in 2 code blue's, and a thoracic surgery and eye surgery, along with a grade 2+ intra ventricular hemorrhage, we were lucky and after 4 1/2 months finally got to go home. So far so good and no real outward signs of any disabilities or special needs. But it is early. Our case manager and social worker in the hospital got us in contact with Rainbows of United Way, an infant and toddler services program. Very soon after we were home, a team of specialists including a special education teacher, a speech therapist, and a physical therapist came to our home and "tested" our infant. Upon initial exam, for being a 23 week gestation infant and adjusted age of 2 weeks old, our infant was already beginning to show signs developmentally of falling behind or being slow. At this point, we weren't even sure that our infant was going to be able to see yet either. The team developed with us a plan of action. This plan of action helped us to see where our son was and what we, as parents, could do to help our infant to hopefully prevent problems before the could become problems. These "problems" were to include speech in any eating problems, and therapy as in gross and fine motor skills (picking up a toy and rolling from side to side). And to top everything off, because Rainbows received governmental financing to provide these services, whether my insurance would pay or not, our son would receive care. This put my mind at ease.

Now, almost 8 months later, my son is 11 months old and doing well. We as parents know that we have to work with our son everyday. But we know and have had Rainbows involved our whole journey. Our son is up to speed with where he should be developmentally and he probably wouldn't be if it weren't for Rainbows Infant and Toddler Services program. And even though we to this point have only utilized the home therapy services, they provide so many more programs that will become more important as our son gets older. They provide music group, group outings so parents with not only special needs children but children who are at high risk or are just a bit developmentally delayed can get out and so the parents can be support for each other in knowing and seeing that they are not alone.

I work outside the home and when I delivered my son, I was to be the sixth of eight to have their baby. Instead, I was second. Most people do not understand the little everyday worries that parents of premature infants who fall into the "high risk" category for everything from getting colds and dying, to being developmentally delayed, to possibility of mental retardation go through. By even the thought of pulling this program out from under the agency of the health department and reinstating it under the

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department of education, you are pulling the only source of support for many parents. Now with it being under the health department, everyone qualifies because they can get funding from insurance groups, from Medicaid, or from private donations, but no one has to be turned away. Under the department of education this funding would not be available and therefore, many parents like myself, would not qualify or be able to privately pay for these services. Instead of preventing problems, it would instead be the treating of problems already exhibited.

I strongly urge you to negate the decision of transferring the infant and toddler services program from the Dept. of Health to the Dept of Education. This program is invaluable to insuring the future of our country to be strong and intellectual. It is doing a wonderful job of doing this by already beginning in the preventative side of healthcare and developmental care. Please consider this fact if nothing else seems to matter--I am a 27 year old healthcare provider in good health and was already receiving prenatal care at exactly 4 weeks gestation. If this unfortunate premature delivery could happen to me, how can you ensure that it would not happen to you or your daughter or son. Would you want them to have to have the everyday worry that there could be something wrong with your child or grandchild and because of financial funding or responsibility, nothing could be done until there was a problem and it may be reversible or it may not be reversible.

Thank You for your attention to this matter.

Crista Allen, mother





Jayhawk Tower ~ 700 SW Jackson ~ Suite 803 ~ Topeka, Kansas 66603-3737  
phone 785/ 235-5103 ~ tty 785/ 235-5190 ~ fax 785/ 235-0020  
[interhab@interhab.org](mailto:interhab@interhab.org) ~ [www.interhab.org](http://www.interhab.org)

March 1, 2001

TO: Representative Ken Wilk, Chair and  
Members, House Appropriations Committee  
FR: Tom Laing, Executive Director  
InterHab  
RE: House Bill 2522

Thank you for allowing time for testimony today on HB 2522. We respectfully recommend that this bill not be adopted, and that lead agency assignment for the Infant and Toddler programs stay with the Department of Health and Environment. We believe that retaining the current status of this program will contribute to program stability in a setting conducive to successful community collaboration for infants and toddlers with disabilities.

It is clear that there is a high degree of interest in this subject, for which we are grateful. We believe local I/T programs are a fine example of the local collaborative energy important in human service endeavors. However, it is clear the legislature is not of one mind as to how to make the best fit within state government to assure this collaboration exists in the future. Even within this committee are two subcommittees taking a look at different approaches to state supervision; and, this week, the Senate committee weighed in as well. We encourage continued deliberations, and urge those deliberations to be done when there is more time for local input. Part C programs are, after all, a network of local programs. The State approach should be as reflective of local concerns as it is of State's administrative needs.

We encourage you also to take seriously the concerns regarding loss of local funding if lead agency status is changed. It would be unfair, both to local schools and to local Part C networks, to assume that the lost local money (from counties, CDDOs, United Way agencies, etc) can be made up from existing supporters. Speaking for CDDOs, one major source of assistance to Part C programs – State Aid – hasn't been increased in more than a decade and can't be stretched further to meet local needs.

Finally, we encourage you to consider the significant policy statement you will make by moving Part C to the Department on Education. Is this committee ready to say that all needs of children with disabilities – from health to physical therapy to family counseling and supports – should be the duty of the schools? It seems to us that making schools the single source of children's services from birth to age 21 would be a decision that policy makers would soon regret.

We urge that House Bill 2522 not be adopted.

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