

MINUTES OF THE HOUSE K-12 EDUCATION COMMITTEE.

The meeting was called to order by Chairperson Ralph Tanner at 12:00 p.m. on March 21, 2001 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Ben Barrett, Legislative Research
Carolyn Rampey, Legislative Research
Avis Swartzman, Revisor of Statutes
Ann Deitcher, Committee Secretary

Conferees appearing before the committee: Senator Anthony Hensley
Dr. Robert McFrazier, Supt. of Schools, Topeka USD 501
Shelby Smith, USD 501, Topeka Public Schools
Mark Tallman, Kansas Assoc. of School Boards
Joe Zima, Attorney for USD 501
Brilla Scott, United School Administrators
Craig Grant, Kansas National Education Assoc.

HB 2546 - Establishing Kansas skills for success in school program.

An error in **HB 2546** was brought to the attention of the Committee by Representative Lloyd.

Representative Lloyd moved to reconsider action on HB 2546. The motion was seconded by Representative Morrison and passed on a voice vote.

A correction to **HB 2546** would be made by financing the Skills for Success program through a categorical aid grant instead of by weighting through the school finance formula.

It was moved by Representative Lloyd and seconded by Representative Morrison to pass Substitute HB 2546 as corrected. The motion passed by a voice vote.

Representatives Flaharty and Loganbill wished to be recorded as nay votes.

SB 313 - School districts, school days and school hours additional to school days and school hours scheduled for the regular school term.

Ben Barrett explained **SB 313** to the Committee. (Attachment 1).

Senator Hensley appeared before the Committee as a proponent of **SB 313**. (Attachment 2).

Mr. Robert McFrazier appeared in support of **SB 313**. (Attachment 3).

Shelby Smith spoke in favor of **SB 313**. (No written testimony was provided).

Joe Zima spoke as a proponent of **SB 313**. (No written testimony was provided).

Mark Tallman appeared in support of **SB 313**. (Attachment 4).

Brilla Scott spoke in favor of **SB 313**. (Attachment 5).

Craig Grant appeared as a proponent of **SB 313**. (Attachment 6).

The hearing on **SB 313** was closed.

The meeting was adjourned at 1:10 p.m. The next meeting is scheduled for 12 noon on Thursday, March 22, 2001.

Substitute for HOUSE BILL NO. 2546

By Committee on Education

AN ACT establishing the Kansas skills for success in school program; imposing certain duties on the state department of education and school districts; concerning the legislative educational planning committee; making and concerning appropriations for the fiscal years ending June 30, 2002, and June 30, 2003, for the department of education; amending K.S.A. 46-1208a and K.S.A. 2000 Supp. 72-6407 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. The provisions of this act apply to school districts, to public schools maintained by school districts, and to pupils enrolled in school districts.

New Sec. 2. (a) On or before October 31, 2001, the state department of education, in consultation with the Kansas children's cabinet, the state department of social and rehabilitation services, the state department of health and environment, and prekindergarten through grade 3 teachers, shall determine a school readiness definition including indicators which help assess a child's school readiness. In determining the school readiness definition and indicators, the state department of education is encouraged to also consult with individuals and organizations knowledgeable about early childhood education and children's health. The school readiness definition along with indicators will be used by the legislature to assess the effectiveness of state funded preschool programs in the preparation of children for kindergarten. All school districts will implement locally developed kindergarten screening procedures based on the school readiness definition under this section.

(b) On or before October 31, 2001, the state department of education shall define a skill set for reading, for writing and for mathematics which a child at the completion of third grade should be able to execute if the child has mastered third grade level reading, writing and mathematics. Such skill sets shall not be minimum level skills, but shall reflect grade level proficiency.

(c) The state department of education shall design a third grade accomplishment examination to be administered at the end of each school year, beginning with the 2005-06 school year, to determine whether pupils have achieved mastery of the reading, writing and mathematics skill sets. The examination shall be administered to all third grade pupils upon completion of the grade. The state board of education will determine whether this accomplishment examination is in addition to or in lieu of any other state assessments.

(d) On or before October 31, 2001, the state department of education shall set a goal that by 2010, not less than 90% of pupils exiting the third grade have acquired the reading, writing and

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mathematics skill sets to be determined on the basis of the results of the third grade accomplishment examination. In each year, commencing in 2003, the state department of education shall report its progress toward achieving the 90% by 2010 goal to the legislative educational planning committee. If the goal is not achieved, the state department of education shall establish a new plan to meet the goal.

New Sec. 3. (a) School districts shall construct a plan for identifying grade-level markers which indicate whether a child is progressing adequately toward acquisition of the reading, writing and mathematics skill sets designed by the state department of education and for diagnosing each child's skill level. The school district shall use assessments or diagnostic reviews during kindergarten and each of the grades first, second and third to determine a child's level of performance and to target specialized interventions to bring the child up to grade level in reading, writing and mathematics. Each school district's plan shall embed the assessments or diagnostic reviews into the curriculum and implement a measure to check each child's progress during the fall or spring semesters or both such semesters. The school district shall establish a plan for providing each child needing assistance with locally determined interventions based on input from teachers and parents for the individual child. The plan may include, but need not be limited to, a restructured school day, additional school days, summer school, individualized instruction and such other interventions as the school district may deem necessary. The district may require attendance at such interventions unless a parent in writing waives the child's attendance. The plan shall not include a requirement for full-day kindergarten attendance. In addition to the foregoing, the plan providing for interventions shall include implementation of a first grade reading intervention that meets the following specifications: A research-based reading intervention method designed for first-graders with a proven track record of success, with sustained learning over time using a short-term, one-on-one tutoring intervention when deemed necessary or intensive research based small group tutoring. The diagnostic reviews or assessments may be implemented in addition to current assessments or diagnostic reviews, or in lieu of current assessments or diagnostic reviews, or, if the district currently has appropriate grade level markers, or offers appropriate diagnostic reviews or assessments, or tracking procedures for interventions, the district may continue to use such locally determined practices as long as the district continues to meet quality performance accreditation requirements. School districts shall continue to implement the second grade reading diagnostic currently required by the state.

(b) When a child has been identified as needing assistance, the school district plan shall

create a mechanism to track the child's interventions and progress. When a child has accomplished the district-determined level of accomplishment, no further tracking will be necessary unless the child falls behind in another grade. If the child does not accomplish the grade-level markers in reading or writing or math, or any combination thereof, defined by the school district despite intervention, there will be action taken in the best educational interest of the child to reach the grade-level markers. Such action may include, but is not limited to, other more intensive interventions or retention to repeat the grade unless a parent in writing waives the child's retention. If a waiver is signed, the parent will be provided with information on the skills the child requires to succeed at the next grade level. The school district will determine the measures by which the child's progress is measured.

(c) Local school districts and schools are encouraged to utilize community volunteers or community-based organizations in the carrying out of intervention plans when appropriate.

New Sec. 4. The state department of education shall pilot the third grade accomplishment examination in the spring of 2002. The school readiness indicator required by subsection (a) of section 2, and amendments thereto, shall be developed by the state department of education on or before August 1, 2002. The plans required by subsection (a) of section 3, and amendments thereto, shall be constructed by school districts on or before August 1, 2002. The statewide program shall begin in the 2002-03 school year. In the spring of 2003, each school district will administer the third grade examination to set the school's baseline.

Sec. 5. K.S.A. 46-1208a is hereby amended to read as follows: 46-1208a. (a) The legislative educational planning committee is hereby established and shall be composed of ~~11~~ 15 members, ~~six of whom shall be members of the house of representatives and five of whom shall be senators. At least five members of the committee shall be of the minority party, with at least two thereof from each house. Members of the legislative educational planning committee shall be appointed by the legislative coordinating council. The committee shall be permanent with membership changing from time to time as the legislative coordinating council shall determine.~~ as follows: The chairperson, vice-chairperson and ranking minority member of the senate committee on education or their designees from such committee; the chairperson, vice-chairperson and ranking minority member of the senate committee on ways and means or their designees from such committee; the chairperson, vice-chairperson and ranking minority member of the house committee on education or their designees from such committee; the chairperson, vice-chairperson and ranking minority member of

the house committee on higher education or their designees from such committee; and the chairperson, vice-chairperson and ranking minority member of the house committee on appropriations or their designees from such committee. The legislative coordinating council shall annually designate the chairperson, vice-chairperson and ranking minority member of the legislative educational planning committee from among the members of the committee.

(b) The legislative educational planning committee shall be divided into three subcommittees as follows: (1) Subcommittee on early childhood; (2) subcommittee on kindergarten through 12th grade education; and (3) subcommittee on postsecondary education. Members of each subcommittee shall be designated by the chairperson, vice-chairperson and ranking minority member of the legislative educational planning committee. Three members from each subcommittee shall be members of the house of representatives and two members on each subcommittee shall be members of the senate. Two members of each subcommittee shall be minority party members as follows: One member of each subcommittee shall be a member of the minority party of the house of representatives and one member of each subcommittee shall be a member of the minority party of the senate. The chairperson of each subcommittee shall be selected by the chairperson of the legislative educational planning committee. The subcommittee shall meet at the request and upon the approval of the chairperson of the legislative educational planning committee.

~~(b)~~ (c) The legislative educational planning committee shall plan for public and private postsecondary education in Kansas, including vocational and technical education; explore, study and make recommendations concerning all facets of education in Kansas relating to any age group; and review implementation of legislation relating to educational matters by the department of education.

The committee shall annually make a report and recommendations to the legislature and the governor and may cause the same to be published separately from other documents which are required by law to be submitted to the legislative coordinating council. The reports and recommendations of the committee shall include a developmental schedule for implementation of educational goals established by the committee. The committee shall from time to time update such schedule as new or additional information is developed or refined.

~~(c)~~ (d) The provisions of the acts contained in article 12 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, applicable to special committees shall apply to the legislative educational planning committee to the extent that the same do not conflict with the specific provisions of this act applicable to the committee.

(d) (e) Upon request of the legislative educational planning committee, the state board of regents and the state board of education shall provide consultants from the faculties and staffs of institutions and agencies under the respective control and jurisdiction thereof.

(f) The legislative educational planning committee shall request the legislative post audit committee to direct the post auditor to conduct a performance audit of the preschool-aged at-risk pupil program to determine the efficacy of the program relative to the school readiness definition. The legislative educational planning committee shall make such request biennially, commencing in July 2004 and concluding in July 2008, and shall specify the objectives and scope and direct the details of the audit. In 2006 the legislative educational planning committee, based on the audits and other information received, shall make a recommendation to the legislature as to whether the funding should be maintained, enhanced or terminated.

(e) (g) The legislative educational planning committee shall meet upon the call of its chairperson. The legislative educational planning committee may introduce such legislation as it deems necessary in performing its functions.

New Sec. 6. The state department of education shall report its progress toward implementation of the provisions of this act to the legislative educational planning committee on November 1, 2001, with continuing annual reports and other reports as requested by the chairperson of the legislative educational planning committee. Such annual reports shall include, but not be limited to, data relating to and supporting evaluations of all such goals, objectives and outcomes as specified in sections 2 through 4 and amendments thereto to the legislative educational planning committee on or before September 1, 2003, and September 1 of each ensuing fiscal year that the Kansas skills for success in school program is in effect. The legislative educational planning committee shall prepare a report evaluating the goals, objectives and desired outcomes as specified in sections 2 through 4 and amendments thereto to the legislature on or before the first day of the 2004, 2006 and 2008 legislative sessions.

New Sec. 7. The state department of education, the Kansas children's cabinet, the state department of social and rehabilitation services, the state department of health and environment, along with any other state agency or state-funded program which impacts early childhood development, must all report in their budget requests how state-funded early childhood programs impact the children served by such programs from birth to entry into kindergarten according to the school readiness definition.

Sec. 8. K.S.A. 2000 Supp. 72-6407 is hereby amended to read as follows: 72-6407. (a) "Pupil" means any person who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 maintained by the district or who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 in another district in accordance with an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto, or who is regularly enrolled in a district and attending special education services provided for preschool-aged exceptional children by the district. Except as otherwise provided in this subsection, a pupil in attendance full time shall be counted as one pupil. A pupil in attendance part time shall be counted as that proportion of one pupil (to the nearest 1/10) that the pupil's attendance bears to full-time attendance. A pupil attending kindergarten shall be counted as $\frac{1}{2}$ pupil. A pupil enrolled in and attending an institution of postsecondary education which is authorized under the laws of this state to award academic degrees shall be counted as one pupil if the pupil's postsecondary education enrollment and attendance together with the pupil's attendance in either of the grades 11 or 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that proportion of one pupil (to the nearest 1/10) that the total time of the pupil's postsecondary education attendance and attendance in grade 11 or 12, as applicable, bears to full-time attendance. A pupil enrolled in and attending an area vocational school, area vocational-technical school or approved vocational education program shall be counted as one pupil if the pupil's vocational education enrollment and attendance together with the pupil's attendance in any of grades nine through 12 is at least $\frac{5}{6}$ time, otherwise the pupil shall be counted as that proportion of one pupil (to the nearest 1/10) that the total time of the pupil's vocational education attendance and attendance in any of grades nine through 12 bears to full-time attendance. A pupil enrolled in a district and attending special education services, except special education services for preschool-aged exceptional children, provided for by the district shall be counted as one pupil. A pupil enrolled in a district and attending special education services for preschool-aged exceptional children provided for by the district shall be counted as $\frac{1}{2}$ pupil. A preschool-aged at-risk pupil enrolled in a district and receiving services under an approved at-risk pupil assistance plan maintained by the district shall be counted as $\frac{1}{2}$ pupil. A pupil in the custody of the secretary of social and rehabilitation services and enrolled in unified school district No. 259, Sedgwick county, Kansas, but housed, maintained, and receiving educational services at the Judge James V. Riddel Boys Ranch, shall be counted as two pupils. A pupil residing at the Flint Hills job corps center shall not be counted. A pupil confined in and receiving educational services provided

for by a district at a juvenile detention facility shall not be counted. A pupil enrolled in a district but housed, maintained, and receiving educational services at a state institution shall not be counted.

(b) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten.

(c) "At-risk pupils" means pupils who are eligible for free meals under the national school lunch act and who are enrolled in a district which maintains an approved at-risk pupil assistance plan.

(d) "Preschool-aged at-risk pupil" means an at-risk pupil who has attained the age of four years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines consonant with guidelines governing the selection of pupils for participation in head start programs. For the 2001-02 school year, the state board shall select not more than 1,794 preschool-aged at-risk pupils to be counted in the 1999-2000 school year and not more than 2,230 3,974 preschool-aged at-risk pupils to be counted in any school year thereafter. The provisions of the foregoing sentence shall expire on June 30, 2002. For the 2002-03 school year and each school year thereafter, the state board shall select not more than 5,500 preschool-aged at-risk pupils to be counted.

(e) "Enrollment" means, for districts scheduling the school days or school hours of the school term on a trimestral or quarterly basis, the number of pupils regularly enrolled in the district on September 20 plus the number of pupils regularly enrolled in the district on February 20 less the number of pupils regularly enrolled on February 20 who were counted in the enrollment of the district on September 20; and for districts not hereinbefore specified, the number of pupils regularly enrolled in the district on September 20. Notwithstanding the foregoing, if enrollment in a district in any school year has decreased from enrollment in the preceding school year, enrollment of the district in the current school year means whichever is the greater of (1) enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled, plus enrollment in the current school year of preschool-aged at-risk pupils, if any such pupils are enrolled, or (2) the sum of enrollment in the current school year of preschool-aged at-risk pupils, if any such pupils are enrolled and the average (mean) of the sum of (A) enrollment of the district in the current school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils are enrolled and (B) enrollment in the preceding school year minus

enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled and (C) enrollment in the school year next preceding the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled.

(f) "Adjusted enrollment" means enrollment adjusted by adding at-risk pupil weighting, program weighting, low enrollment weighting, if any, correlation weighting, if any, school facilities weighting, if any, ancillary school facilities weighting, if any, and transportation weighting to enrollment.

(g) "At-risk pupil weighting" means an addend component assigned to enrollment of districts on the basis of enrollment of at-risk pupils.

(h) "Program weighting" means an addend component assigned to enrollment of districts on the basis of pupil attendance in educational programs which differ in cost from regular educational programs.

(i) "Low enrollment weighting" means an addend component assigned to enrollment of districts having under 1,725 enrollment on the basis of costs attributable to maintenance of educational programs by such districts in comparison with costs attributable to maintenance of educational programs by districts having 1,725 or over enrollment.

(j) "School facilities weighting" means an addend component assigned to enrollment of districts on the basis of costs attributable to commencing operation of new school facilities. School facilities weighting may be assigned to enrollment of a district only if the district has adopted a local option budget and budgeted therein the total amount authorized for the school year. School facilities weighting may be assigned to enrollment of the district only in the school year in which operation of a new school facility is commenced and in the next succeeding school year.

(k) "Transportation weighting" means an addend component assigned to enrollment of districts on the basis of costs attributable to the provision or furnishing of transportation.

(l) "Correlation weighting" means an addend component assigned to enrollment of districts having 1,725 or over enrollment on the basis of costs attributable to maintenance of educational programs by such districts as a correlate to low enrollment weighting assigned to enrollment of districts having under 1,725 enrollment.

(m) "Ancillary school facilities weighting" means an addend component assigned to enrollment of districts to which the provisions of K.S.A. 2000 Supp. 72-6441, and amendments thereto, apply on the basis of costs attributable to commencing operation of new school facilities.

Ancillary school facilities weighting may be assigned to enrollment of a district only if the district has levied a tax under authority of K.S.A. 2000 Supp. 72-6441, and amendments thereto, and remitted the proceeds from such tax to the state treasurer. Ancillary school facilities weighting is in addition to assignment of school facilities weighting to enrollment of any district eligible for such weighting.

(n) "Juvenile detention facility" means any community juvenile corrections center or facility, the Forbes Juvenile Attention Facility, the Sappa Valley Youth Ranch of Oberlin, Salvation Army/Koch Center Youth Services, the Clarence M. Kelley Youth Center, Trego County Secure Care Center, St. Francis Academy at Atchison, St. Francis Academy at Ellsworth, St. Francis Academy at Salina, and St. Francis Center at Salina.

New Sec. 9. (a) In each school year, commencing with the 2002-03 school year, each school district which has established a plan of interventions for pupils needing assistance with acquisition of the reading, writing and mathematics skill sets designed by the state department of education under the Kansas skills for success in school program shall be entitled to receive a grant of state moneys to supplement amounts expended by the school district for maintenance of such plan of interventions. OK

(b) To be eligible to receive a grant of state moneys for maintenance of a plan of interventions under the Kansas skills for success in school program, a board of education shall submit to the state board of education an application for a grant and a description of the plan. The application and description shall be prepared in such form and manner as the state board shall require and shall be submitted at a time to be determined and specified by the state board. Approval by the state board of the plan and the application is prerequisite to the award of a grant.

(c) Upon receipt of a grant of state moneys for maintenance of a plan of interventions under the Kansas skills for success in school program, the amount of the grant shall be deposited in the general fund of the school district. Moneys deposited in the general fund of a school district under this subsection shall be considered reimbursements for the purpose of the school district finance and quality performance act.

(d) Each board of education which is awarded a grant for maintenance of a plan of interventions under the Kansas skills for success in school program shall make such periodic and special reports to the state board of education as it may request.

New Sec. 10. (a) On or before January 1, 2002, the state board of education shall adopt rules

and regulations for administration of grants of state moneys to school districts for maintenance of plans of interventions under the Kansas skills for success in school program and shall:

- (1) Establish standards and criteria for reviewing, evaluating and approving plans of interventions and applications of school districts for grants;
- (2) conduct a needs-assessment survey of school districts applying for grants;
- (3) evaluate and approve plans of interventions;
- (4) establish priorities in accordance with the findings of the needs-assessment survey for the award of grants to school districts and for determination of the amount of such grants;
- (5) be responsible for awarding grants to school districts; and
- (6) request of and receive from each school district which is awarded a grant for maintenance of a plan of interventions reports containing information with regard to the effectiveness of the plan.

to be explained
 (b) In evaluating and approving plans of interventions maintained under the Kansas skills for success in school program for the award of grants to school districts, the state board shall consider:

- (1) The level of effort exhibited by school districts in the establishment and maintenance of plans of interventions;
- (2) the amounts budgeted by school districts for the establishment and maintenance of plans of interventions; and
- (3) the potential effectiveness of the plans of interventions for which applications for the grant of state moneys are made.

(c) The amount of a grant to a school district shall be determined by the state board in accordance with established priorities, but in no event shall such amount exceed the amount of actual expenses incurred by the school district in the establishment and maintenance of a plan of interventions.

(d) In determining the amount of the appropriation for the Kansas skills for success in school program grants awarded school districts under this section, no more than 10% of the first grade pupils across the state shall be counted in plans providing for a research-based reading intervention method.

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 (e) The state board of education shall provide any board, upon request, with technical advice and assistance regarding the establishment and maintenance of a plan of skills for success in school interventions or an application for a grant of state moneys.

New Sec. 11. Within the limits of appropriations therefor, the state department of education shall provide for teacher training to implement the interventions authorized by this act.

Sec. 12.

DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year or years specified, the following:

Operating expenditures (including official hospitality)

For the fiscal year ending June 30, 2003 \$400,000

Provided, That expenditures shall be made by the department of education from the operating expenditures (including official hospitality) account for the purpose of implementing the third grade accomplishment examination: Provided further, That expenditures from this account for such purposes shall not exceed \$400,000.

Kansas skills for success in school plans for interventions

For the fiscal year ending June 30, 2003 \$15,666,725

(b) There is appropriated for the above agency from the children's initiatives fund for the fiscal year or years specified, the following:

General state aid preschool-aged at-risk pupils

For the fiscal year ending June 30, 2002 \$3,000,000

For the fiscal year ending June 30, 2003 \$3,500,000

Operating expenditures (including official hospitality)

For the fiscal year ending June 30, 2002 \$2,000,000

Provided, That expenditures shall be made by the department of education from the children's initiatives fund – operating expenditures (including official hospitality) account for the purpose of development of skill sets, development and piloting of the third grade accomplishment examination, and teacher training for interventions: Provided further, That expenditures from this account for such purposes shall not exceed \$2,000,000.

Third grade summer school

For the fiscal year ending June 30, 2002 \$2,500,000

Provided, That all expenditures from the third grade summer school account of the children's initiatives fund shall be for extended learning summer school programs for third grade pupils across the state: Provided further, That such funds shall be provided for not to exceed 25% of third grade students across the state.

Skills for success in schools plans for interventions

For the fiscal year ending June 30, 2003 \$2,306,738

Sec. 13. K.S.A. 46-1208a and K.S.A. 2000 Supp. 72-6407 are hereby repealed.

Sec. 14. This act shall take effect and be in force from and after its publication in the statute book.

Legenbise

EDITORIALS

■ Mandatory summer school

Writing is on the wall

It's a fascinating and delightful irony: Because Topeka public schools are now air-conditioned, Dr. Robert McFrazier can now turn up the heat.

He's doing just that. The Unified School District 501 superintendent says he is determined that students in kindergarten, first and second grades will be reading at their grade level by the time school lets out in May — or they will be required to attend summer school. Period.

Those around him support McFrazier in this effort, as they should — though some wonder if he's on sound legal footing.

"No one is quite sure we can do this," he says.

Well, he's planning to ask the Shawnee County legislative delegation to support a bill giving public schools express authority for mandatory summer school. And he should get it.

Even if he doesn't, McFrazier holds an ace up his sleeve: Those reading-deficient students who don't attend the special morning-only summer school from July 9 to Aug. 3 will not be promoted to the next grade.

Now, that's some old-fashioned tough love — the kind of gentle insistence on performance that fell out of favor in the public schools years ago, but shouldn't have. Why should students be moved along to the next grade level if they are already falling behind in the one they're in?

Far from being kind to the students, it's cruel. It's selling them short and setting them up for failure now and later in life.

McFrazier wants to make sure that doesn't happen to the more than 1,000 K-2 students currently identified as needing the remedial reading help in USD 501 — many of whom are minority students, he notes.

Good for him.

Still, remarkably, it would be out of character for this country if some of the parents didn't object, even in court. Fine, McFrazier says. Bring it on.

He's right. No judge or jury of sound mind would condemn McFrazier and his cohorts from insisting that USD 501 students be able to read and write. Why we haven't insisted on it before is the

■ **Dr. McFrazier is right: Promoting kids who can't read is only promoting failure. Parents, take note.**

real question.

One reason why is money. Indeed, it's a wonder where McFrazier will find the estimated \$200,000 necessary to run the program this summer, especially considering that the district has been slapped with about \$1.2 million more in utility costs this winter than planned.

If the district can absorb all those cost overruns and still pay for summer school, you have to wonder whether the district's budget was austere enough.

But give McFrazier credit for determining to do it, and do it right. There will be free transportation, free meals — the district will even "wipe noses," he says. There can be no excuses.

A student need not be behind in school to attend the summer school sessions, which will be at various elementary schools around town. On a space available basis, any K-2 student can attend for free.

Whether it can be read or not, the writing is on the wall. Kids simply have to learn how to read. Parents ought to be the first to insist on it, and take pleasure in it. Yet, that's not happening. Consider this: Last year, in its second year, the summer reading program was voluntary — and only about 100 of the 700 eligible students were sent.

How sad, especially when you hear McFrazier and associate superintendent Dr. Susan Rogers say what a measurable difference the summer reading program makes in kids' lives, with its student-to-teacher ratio of as little as 6 to 1.

Moreover, McFrazier and his board of education are on the cutting edge of a national trend, both in terms of eliminating "social promotion" of students and in lengthening the school year, which needs to happen.

Fact is, mandatory summer school shouldn't just be for K-2 students. Somehow we need to find the money in the future to require any student who isn't ready for the next grade level to get ready over the summer.

Now that the schools are cool, it's time to turn up the heat.

MARCH 20, 2001, TESTIMONY -- SB 313

**USD 501-TOPEKA PUBLIC SCHOOLS
REQUIRED SUMMER CAMP
JULY 9-AUGUST 3, 2001**

The mission of Topeka Public Schools is “. . . to develop lifelong learners who possess the necessary knowledge and skills to be responsible, contributing members of the community and of a dynamic society;” and to this end, the number one instructional priority for Topeka Public Schools shall be the development of reading skills; 2) the district shall allocate resources to assure that students have basic reading skills by the end of the second grade; 3) the district shall promote only students whose reading performance meets district standards; 4) the district shall only graduate students whose reading skills meet district graduation standards; 5) the district shall identify effective instructional practices for reading and shall assure its use at every district school.

In order to provide remediation for students not meeting district standards at K-2 levels, we will be initiating a required summer school. To further lend motivation for students to attend this program, we are requesting consideration for legislative action to extend the truancy law to include this program. The bill also clarifies the Board of Education’s authority to require student attendance for disciplinary reasons and applies the truancy law to instances of failure or refusal to do so.

House Education Committee

Date: 3/21/01

Attachment # 2



TO: House Committee on Education
FROM: Mark Tallman, Assistant Executive Director for Advocacy
DATE: March 20, 2001

RE: Testimony on S.B. 313

Mr. Chairman, Members of the Committee:

KASB appears in strong support for S.B. 313. This bill would allow local school boards to adopt policies that would require additional hours or days for "pupils who are in need of remedial education or who are subject to disciplinary measures imposed under the district's disciplinary policy." If such students fail to attend these additional hours or days, they would violate the state's compulsory attendance law and be considered truant.

KASB's Delegate Assembly has adopted the following policy statement:

KASB believes that local school boards should be able to require a longer school term for individual students if additional time is required to meet learning standards.

S.B. 313 is certainly consistent with this position. It is clear that some students require additional time to meet learning objectives. The state certainly has a compelling interest in an educated population. This is why we have public schools in the first place, and why we have compulsory attendance laws. What we have learned is that students progress academically at different rates. If the goal of the state is that all students reach certain standards, we should not expect that a single measure of time, such as 186 days, will be adequate or appropriate for all students. S.B. 313 gives local boards the ability to require more learning time if more learning time is needed.

It is important to realize that extended learning time requires additional resources. We commend the State Board of Education for proposing in its budget request funding for extended learning time. We believe the concept of S.B. 313 must be linked to additional funding, and additional funding must be linked to this bill. Without resources, schools will not be able to provide programs such as summer school, weekend programs and after school assistance. Without the ability to require attendance, many students will not take advantage of these programs.

Thank you for your consideration.

House Education Committee

Date: 3/21/01

Attachment # 4

 Highfill Scott
Executive Director
bhsusa02@ink.org

M. Katharine Weickert
Director of
Administrator Services
usak01@ink.org

Don Knowles
Professional Development
Coordinator

SB 313: Additional School Days and School Hours

Testimony presented before the House Education Committee

by

**Brilla Highfill Scott, Executive Director
United School Administrators of Kansas**

March 19, 2001

**Mister Chairman and
Members of the House Education Committee:**

United School Administrators of Kansas supports SB 313 which amends the school term statute to allow school districts to schedule additional days or hours of student instruction for remedial or disciplinary reasons.

The additional hours could be scheduled on weekends before or after school or during the summer. Attendance would be subject to compulsory attendance rules.

We believe that this change would encourage further local involvement in determining student needs and provide additional flexibility for local Boards of Education.

United School Administrators of Kansas asks that you favorably report SB 313.



Kansas Association of
Elementary
School Principals
(KAESP)

Kansas Association of
Middle School
Administrators
(KAMSA)

Kansas Association of
School Administrators
(KASA)

Kansas Association of
School Business
Officials
(KASBO)

Kansas Association for
Supervision and
Curriculum Development
(KASCD)

Kansas Association of
Special Education
Administrators
(KASEA)

Kansas Association of
Secondary School
Principals
(KASSP)

Kansas Council of
Vocational
Administrators
(KCVA)

Kansas School
Public Relations
Association
(KanSPRA)

House Education Committee

Date: 3/21/01

Attachment # 5



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 SW 10TH AVENUE / TOPEKA, KANSAS 66612-1686

Craig Grant Testimony
House Education Committee
Tuesday, March 20, 2001

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas NEA. I appreciate this opportunity to visit briefly with the House Education Committee about Senate Bill 313.

Teachers and other educators are frustrated about the topic of extra time for students for both disciplinary and remedial reasons. We are probably more worried about the remedial programs than the disciplinary ones. Teachers who identify students who need more time-on-task to attain skills do not always know if or when that time will be provided. We have talked about summer school, Saturday classes, before and after school programs. All are worthwhile and should be explored.

However, how can we force a student to comply with summer or Saturday programs? What do we have to show parents when we talk about extra time? School districts and educators will not be unreasonable as far as excessive time when other family situations would conflict. Excused absences will be given. We assume that if a district busses children to school the district will probably have to provide transportation for Saturday and summer classes, if needed. This explains one of the cost items possible for extended time programs. We want some ability to require students who are behind to get the extra help needed to get them up to standards. SB 313 would give us that ability.

Kansas NEA supports SB 313 and the ability to set policies for school hours and days outside the regular school term. Thank you for listening to our concerns.

House Education Committee

Date: 3/21/01

Attachment # 6