

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 9:00 a.m. on January 27, 2009, in Room 711 of the Docking State Office Building.

All members were present except:
Representative Melvin Neufeld- excused

Committee staff present:
Sharon Wenger, Kansas Legislative Research Department
Dale Dennis, Kansas State Department of Education
Janet Henning, Committee Assistant

Conferees appearing before the committee:
Russell Jennings, Commissioner, Juvenile Justice Authority
Representative Jerry Henry
Dr. Susan Myers, Superintendent, Atchison USD #409

Chairman Aurand asked Committee members if there were any bill introductions. The following were introduced:

Representative Brookens moved to introduce a bill which was related to school finance and supplemental general state aid. The motion was seconded by Representative Phelps. The motion carried.

Representative Crow moved to introduce a bill which was related to the 'Abstinence Education Act'. The motion was seconded by Representative Loganbill. The motion carried.

Chairman Aurand moved to introduce a bill to establish an Early Literacy Protocol for Kansas schools. The motion was seconded by Representative Brookens. The motion carried.

Chairman Aurand moved to introduce a bill request from Representative Schroeder regarding teacher and administrator contracts. The motion was seconded by Representative Horst. The motion carried.

Chairman Aurand moved to introduce a bill relating to low enrollment weighting and districts with less than 200 pupils. The motion was seconded by Representative Horst. The motion carried.

Chairman Aurand moved to introduce a bill relating to low enrollment weighting and limitation relating to high and medium density at-risk pupil weightings. The motion was seconded by Representative Crow. The motion carried.

Representative Hill moved to introduce a bill which was related to the national school psychology certification incentive program. The motion was seconded by Representative Brookens. The motion carried.

Representative Loganbill requested the staff prepare a set of curricular standards for kindergarten, third, fifth, and eighth grades so Education Committee members would know exactly what teachers are doing. This would be for reading, math, and science. She also requested that staff prepare a set of curricular standards for librarians as well.

HB 2001 - School districts; number of pupils in USD No. 409, Atchison

Russell Jennings, Commissioner, Juvenile Justice Authority (JJA), told Committee members the Juvenile Justice Authority had previously announced the suspension of operations at the Atchison Juvenile Correctional Facility as a juvenile correctional facility. A repurposing plan for the facility to become a Youth Residential Center II (YRCII) was issued in late 2008. The new proposal calls for a 56 bed YRCII operation licensed by the Kansas Department of Health and Environment and JJA anticipates the repurposed facility to become operational as early as May 1, 2009. During the term of operations of the Atchison Juvenile Correctional Facility, JJA contracted with USD 409, Atchison Public Schools, to provide accredited education services. USD 409 will be obligated by law to provide education for the residents of the successor YRCII. JJA has agreed with USD 409 to continue to provide building space on

CONTINUATION SHEET

Minutes of the House Education Committee at 9:00 a.m. on January 27, 2009, in Room 711 of the Docking State Office Building.

the Atchison campus for student instruction. (Attachment 1)

Representative Jerry Henry spoke to Committee members in support of **HB 2001** and advised that the Juvenile Justice Authority has released a proposal request to repurpose the Juvenile Justice Authority Facility into a Youth Residential Center II to serve between 55 - 60 youths. The establishment of a Youth Residential Center at this facility would require the Atchison School District #409 to re-open a stand alone school located on the campus.

Representative Henry told Committee members the purpose for the introduction of **HB 2001** is to request that a student enrolled in USD 409 but housed, maintained, and receiving education services at the Youth Residential Center, should be counted as two pupils.

Representative Henry further advised that **HB 2001** also requests that on the pupil count date of September 20, 2009, that the pupil count shall be deemed to be equal to two times the licensed capacity of the Youth Residential Center as certified by the secretary of the Kansas Department of Social and Rehabilitation Services. (Attachment 2)

Dr. Susan Myers, Superintendent, Atchison Public Schools, USD 409, spoke to Committee members in support of **HB 2001** and advised that USD 409 has provided educational services for youth residing at the Atchison Juvenile Correctional Facility for over 35 years.

Dr. Myers advised that in order to provide the necessary educational programs to this facility, USD 409 is requesting funding as provided to the Judge James V. Riddel Boys Ranch in Wichita per K.,S.A. 2008 Supp. 72-6407. A student housed, maintained and receiving educational services at the Judge James V. Riddel Boys Ranch is counted as two pupils. The YRCII in Atchison will deliver educational programming in a like manner to the Judge James V. Riddel Boys Ranch.

Dr. Myers also advised they are requesting for the first year of operation, USD 409 would receive funding at the license capacity of 56 resident YRCII students for the September 20, 2009 headcount. (Attachment 3)

A question and answer session followed the presentation.

Chairman Aurand closed the hearing on **HB 2001**.

The following students were recognized by the Committee for their participation in the Legislative Shadow Day:

For Representative Mah:
Antoinette Cutler, Shawnee Heights
Stephanie Lischke, Shawnee Heights

For Representative Spalding:
Christopher Wartko
Sarah Green

For Representative Gordon:
Annastasia Lipp, French Middle School

The meeting was adjourned at 10:00 a.m. The next meeting is scheduled for February 3, 2009.

TESTIMONY ON HB 2001
HOUSE EDUCATION COMMITTEE

January 27, 2009



J. Russell Jennings
Commissioner
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House Education Committee
Date 1-27-09
Attachment # 1

On September 8, 2008 the Juvenile Justice Authority announced the suspension of operations at the Atchison Juvenile Correctional Facility as a juvenile correctional facility and a repurposing plan for the facility to become a Youth Residential Center II (YRCII). This step was taken in order to meet the expectations of the Governor for the agency to meet a 3% budget reduction during FY09. Operations as a juvenile correctional facility ceased in December 2008. Late in 2008, JJA issued a Request for Proposals (RFP) for operation of the former juvenile correctional facility as a Youth Residential Center II (YRCII). The RFP calls for a 56 bed YRCII operation licensed by the Kansas Department of Health and Environment. The RFP closes on February 16, 2009. JJA anticipates the repurposed facility to become operational as early as May 1, 2009.

During the term of operations of the Atchison Juvenile Correctional Facility, JJA contracted with USD 409, Atchison Public Schools, to provide accredited education services. With a declining census at the facility the contract amount was reduced from in excess of \$1 million annually to the current year contract amount of \$890,000.

USD 409 will be obligated by law to provide education for the residents of the successor YRCII. JJA has agreed with USD 409 to continue to provide building space on the Atchison campus for student instruction. JJA recognizes that the suspension of operations at the Atchison facility and repurposing of the campus as a YRCII has significantly impacted the community of Atchison and in particular USD 409. USD 409 has a long history of providing education services to the youth residents of the Atchison campus and has performed well in providing those services.

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HOUSE TRANSPORTATION COMMITTEE
JOINT COMMITTEE CORRECTIONS AND
JUVENILE JUSTICE OVERSIGHT

January 27, 2009

Rep. Clay Aurand, Chairman,
Members, House Education Committee.

On December 8, 2008, the Kansas Juvenile Justice Authority suspended operations at the Atchison Juvenile Justice Correctional Facility. Approximately 85 state employees lost their jobs in Atchison because of this facility closure. As all of you are keenly aware, the loss of this facility and jobs has had an economic impact on our community.

The facility located in Atchison is in excellent condition, for this reason, the Juvenile Justice Authority has released a proposal request to re-purpose the Juvenile Justice Authority Facility into a Youth Residential Center II to serve between 55 to 60 youth at the center. The establishment of a Youth Residential Center at this facility in Atchison would require the Atchison School District 409 to re-open a stand alone school located on the campus.

The purpose for the introduction of House Bill 2001 is to request that a student enrolled in unified school district No. 409, Atchison, Kansas, but housed, maintained and receiving educational services at the youth residential center located on the grounds of the former Atchison juvenile correctional facility, shall be counted as two pupils.

The Bill also requests that on the pupil count date of Sept. 20, 2009 that the pupil count shall be deemed to be equal to two times the licensed capacity of the Youth Residential Center as certified by the secretary of the Kansas Department of Social and Rehabilitation Services.

I would like to request that the House Education Committee pass House Bill 2001, to start the process of re-opening the Atchison facility as a Youth Residential Center.

Jerry Henry
State Representative
District 63

House Education Committee
Date 1-27-09
Attachment # 2

**Testimony Presented by
Dr. Susan Myers, Superintendent
USD 409, Atchison Public Schools**

House Bill No. 2001

For over 35 years, Atchison Public Schools, USD 409, has provided educational services for youth residing at the Atchison Juvenile Correctional Facility (AJCF). Services began in 1972 when the facility was the Youth Center of Atchison under the direction of Social & Rehabilitation Services and continued when the facility became AJCF under the direction of Juvenile Justice Authority (JJA).

The funding for the educational program provided to the youth at AJCF was through a contract between USD 409 and JJA. Funds for providing education including personnel salaries and benefits, supplies and equipment were paid directly to USD 409 by JJA.

In September 2008, JJA made the decision to close AJCF and repurpose from a juvenile correctional facility to a Youth Residential Center II (YRC II). With the repurposing, USD 409 is now required to provide educational services to the youth living at the facility as if they were residents of Atchison. Students residing at the YRC II will now be counted in the USD 409 September 20 headcount along with other USD 409 students, and the cost for personnel salaries and benefits, supplies and equipment will be the sole responsibility of USD 409.

The District will need to meet the educational needs of these additional students residing at the YRC II without taking away from any of the existing educational programs benefiting the current USD 409 students or without asking the citizens of Atchison to pay additional taxes to provide services to the YRC II.

In order to provide the necessary educational programs to this facility, USD 409 is requesting funding as provided to the Judge James V. Riddel Boys Ranch in Wichita per K.S.A. 2008 Supp. 72-6407. A student housed, maintained and receiving educational services at the Judge James V. Riddel Boys Ranch is counted as two (2) pupils. The YRC II in Atchison will deliver educational programming in a like manner to the Judge James V. Riddel Boys Ranch.

We are also asking that for the first year of operation, USD 409 would receive funding at the licensed capacity of 56 resident YRC II students for the September 20, 2009, headcount. JJA intends to keep the facility at or around 56; however, in the event the number of students is less than 56 due to the transition, it is imperative that USD 409 have adequate funds to staff at the 56 student capacity level.

The 2008-09 contracted budget with JJA to provide services for the students residing at AJCF was \$912,766 based on 30-35 children in the facility.

(over)

House Education Committee
Date 1-27-09
Attachment # 3

If USD 409 receives traditional funding for the 56 students, the budget would be approximately \$354,274, a far cry from the \$912,766 that was used to educate fewer students than will reside in the YRC II.

If funded in the same manner as the Judge James V. Riddel Boys Ranch, the district would receive approximately \$597,594, allowing us to provide quality educational programming without it adversely affecting existing district programs or increasing taxes.

Educational services for the YRC II will be provided on-site using the Bert Nash School. Some YRC II providers send their youth to "traditional" schools, where the students are co-mingled with non-adjudicated youth. In light of recent increases in enrollment for the last two years, USD 409 is at or near capacity in all school buildings and is in the process of examining facility contingency plans.

Finally, the students in this type of facility are commonly two to three years below grade level in Reading, Math and Language skills. As they will be included in the District's State Assessment scores, this may have a dramatic effect on our ability to maintain Adequate Yearly Progress (AYP). Adequate funding for this school will help us provide appropriate educational services for all students and achieve required benchmarks for school accreditation and No Child Left Behind (NCLB) mandates.

In conclusion, USD 409 is asking to be funded in the same manner as the Judge James V. Riddel Boys Ranch in Wichita per K.S.A. 2008 Supp. 72-6407 for students residing at the YRC II, and asking to be funded on September 20, 2009, at the licensed capacity of 56 students.

Thank you for your consideration.