

Approved: 2-17-94  
Date

## MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Vice-chairperson Cindy Empson at 3:30 p.m. on January 31, 1994 in Room 519-S of the Capitol.

All members were present except: Representative Goossen (excused)  
Representative Kline (excused)

Committee staff present: Ben Barrett, Legislative Research Department  
Dale Dennis, Deputy Commissioner, Department of Education  
Avis Swartzman, Revisor of Statutes  
Lois Thompson, Committee Secretary

Conferees appearing before the committee: Connie Hubbell, State Board of Education  
Gerald Henderson, Executive Director of United School Administrators of Kansas and representing USD 501  
Susan Chase, KNEA  
Mark Tallman, KASB  
Senator Lana Oleen

Others attending: See attached list

Hearing on **HB 2756** was opened for testimony.

Connie Hubbell, State Board of Education, stated several school district administrators have voiced concern to the State Board about providing educational services to those juveniles who are detained in detention centers and the costs of providing those services. These juveniles, although detained, are entitled to educational services and many are entitled to special education services. Instruction must be provided at the juvenile detention facility because the juveniles are not allowed to leave the detention center. The State Board of Education recommends that the School District Finance and Quality Performance Act be amended to count students educated in a juvenile detention center as 2.0 students rather than 1.0 as under current law. (Cost would be 2 x \$3,600 or \$7,200 per student.) (Attachment 1)

Many questions were raised by committee members. Several committee members stated that this sounds like "weighting." (Weighting - giving additional money to cover additional costs for children in vocational or bilingual education who are at risk, or who live in small school districts. This is a part of the school finance law of 1992.)

This bill does not apply to YCAT inmates funded by the Kansas Department of Social and Rehabilitation Services since it is a state correctional institution.

Gerald Henderson, Executive Director United School Administrators of Kansas, also speaking in behalf of USD 501, testified in support of **HB 2756**. When school districts are required to provide programs for children confined to a facility, such as the RCY in Pittsburg or the Juvenile Detention Centers throughout the state, some additional financial help is needed or resources must come from the general education program of the district. (Attachment 2)

Susan Chase, representing KNEA, spoke in support of **HB 2756** stating because of the temporary and changing student population in detention facilities, this can be costly to the district in which the facility is located and would relieve the already limited budgets of those districts. (Attachment 3)

Mark Tallman, KASB spokesperson, stated they cannot at this point endorse **HB 2756**. They would support the concept of weighting for students in juvenile detention facilities if it can be demonstrated that the weighting factor would accurately reflect higher costs. They are urging the committee to carefully consider objective data before approving additional weighting factors. (Attachment 4)

Senator Lana Oleen, representing Junction City and Manhattan, has a juvenile detention center in her district which recently came on line, addressed some concerns of people who manage detention facilities. Juveniles were supposed to be held only a short time (48 hours to 2 weeks), but SRS has not been able to

CONTINUATION SHEET

MINUTES OF HOUSE EDUCATION COMMITTEE, January 31, 1994, at 3:30 p.m. in Room 519-S

move them that quickly and they are held longer than anticipated. What courses should be required? -- Some feel they should be taught life skills, like balancing a check book, many neither read or write and require individualized programs. There is also the safety element. Recently a guard was stabbed. These are not pretty places and do require extra funds. She wants an amendment to **HB 2756** to include the Flint Hills Job Core Center, statewide facility, federal program, for work training only "for those who have not made it in public education." They offer a GED. However, there have been talks recently to have an alternative highschool working with Manhattan Highschool. Would need additional dollars to provide a true highschool diploma. Additional staff would be needed. Vice-Chair Empson requested her written amendment be sent to the House Education Committee before the bill is worked.

This closed hearings on **HB 2756**.

Hearings on **HB 2767** relative to transfer of records was opened.

Connie Hubbell, Legislative Coordinator of the State Board of Education explained **HB 2767** is a measure to make it clear that student records are to be transferred from one school district to another when a child moves, except when the child has failed to return or pay for school property. (Attachment 5)

Mark Tallman, KASB, stated they are unclear why this bill is necessary. (Attachment 6)

There appeared to be strong sentiment among committee members that a law should not be required to handle this problem. It was felt a notice from the State Board of Education to the school districts should be adequate.

This closed hearings on **HB 2767**.

The meeting was adjourned at 4:43 p.m. The next scheduled meeting of the House Education Committee will be Tuesday, February 1, 1994, at 3:30 p.m. in Room 519-S.

## GUEST LIST

**Committee: Education**

**Date:** 1-31

[illegible]

# ***Kansas State Board of Education***

120 S.E. 10th Avenue, Topeka, Kansas 66612-1182

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January 31, 1994

TO: House Education Committee  
FROM: State Board of Education  
SUBJECT: 1994 House Bill 2756

My name is Connie Hubbell, Legislative Coordinator of the State Board of Education. It is a pleasure for me to appear before this Committee on behalf of the State Board.

The State Board of Education has discussed problems recently encountered by unified school districts concerning the education of students who are being detained in the new regional juvenile detention centers. Several school district administrators have voiced concern to the State Board about providing educational services to those juveniles who are detained in these detention centers and the costs of providing those services. These juveniles, although detained, are entitled to educational services and many of these students are entitled to special education services. Of course, instruction must be provided at the juvenile detention facility because the juveniles are not allowed to leave the detention center.

In light of these problems, the State Board of Education recommends that the School District Finance and Quality Performance Act be amended to count students educated in a juvenile detention center as 2.0 students rather than 1.0 as under current law. This would be comparable to the provision in current law for juveniles detained at the Judge Riddel's Boys Ranch in Sedgwick County.

It is estimated there will be 260 students during the 1994-95 school year in these facilities. It would cost the state approximately \$936,000 to fund this proposal. Attached is a listing of the current status of detention centers as of November, 1993.

Dale M. Dennis  
Deputy/Assistant Commissioner  
Division of Fiscal Services and Quality Control  
(913) 296-3871  
Fax No. (913) 296-7933

House Education  
JAN. 31, 1994

Attachment 1

KANSAS DETENTION CENTERS CURRENT STATUS  
NOVEMBER, 1993

The following list of existing and developing facilities are an important part of the continuum of services for juvenile offenders in Kansas. These services play an integral role in the counties and regions that they serve and can be the "hub" for other less costly alternatives to detention.

EXISTING FACILITIES:

Reno County

- capacity of 12
- approx. costs \$150/day
- contracts with 26 counties (14 counties in Southcentral region)

Johnson County

- capacity of 30 (expanding to 70 by 1995)
- approx. costs \$140/day not including indirects
- serves Johnson County

Saline County

- capacity of 5 (expanding to 8-seeking funds for expansion)
- approx. costs of \$90/day
- serves Saline County

Sedgwick County

- capacity of 33
- approx. costs \$148/day
- serves Sedgwick County

Shawnee County

- capacity of 22
- approx. costs \$130/day
- serves Shawnee County

Wyandotte County

- capacity of 48
- approx. costs \$60/day
- serves Wyandotte County

Total Licensed Capacity 150

NEW REGIONAL DETENTION FACILITIES:

Northwest (Trego County) Opened June 21, 1993

- capacity of 10 (expansion to 14)
- approx. costs \$100/day
- serves 26 counties

Northcentral (Geary County) Opening December, 1993

- capacity of 12 (expansion to 24)
- approx. costs/day unknown
- serves 15 counties

Northeast (Douglas County) Opening July, 1994  
-capacity of 15 16 (expansion to 22 23 )  
-approx. costs/day unknown  
-serves 18 counties

Southeast (Crawford County) Opening May, 1994  
-capacity of 14 (expansion to 28)  
-approx. costs/day unknown  
-serves 11 counties

Southwest (Finney County) Opening June, 1994  
-capacity of 21 (expansion to 42)  
-approx. costs/day unknown  
-serves 18 counties

Total Licensed Capacity 70 (Total Contracted Capital Capacity 60)

Combined Licensed Capacity 220





## HB 2756

Presented before the House Committee on Education  
by Gerald W. Henderson, Executive Director  
United School Administrators of Kansas  
January 31, 1994

Mister Chairman and Members of the Committee:

United School Administrators of Kansas (USA) appreciates this opportunity to speak in support of **HB 2756**. We are especially appreciative of the language on page two which talks about juvenile detention *facilities* rather than the much narrower juvenile detention *center*. Hundreds of troubled Kansas kids, who do not live in state owned and operated detention centers are being served by Kansas school districts. An example lies in Pittsburg where 40 children are housed in the Regional Center for Youth (RCY) and 35 children are housed at Elm Acres. The children at RCY are extremely difficult to handle, to the point that the school district provides 5 teachers, 5 para-professionals and a bouncer to administer the educational program at that facility.

When school districts are required to provide programs for children confined to a facility such as the RCY in Pittsburg or the Juvenile Detention Centers in communities throughout the state, some additional financial help is needed, or resources must come from the general education program of the district. **HB 2756** provides such assistance. We would ask that you report the bill favorably.

House Education  
JAN. 31, 1994  
Attachment 2





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

Susan Chase Testimony before  
House Education Committee  
Monday, January 31, 1994

Thank you Mr. Chairman. I am Susan Chase and I represent Kansas NEA. I appreciate this opportunity to visit with the committee today regarding HB 2756 relating to the counting of pupils confined in juvenile detention facilities.

Kansas NEA supports the idea of allowing districts to count the pupils that are being housed in juvenile detention facilities as two pupils. As I am sure you are aware, most research points to the fact that education is the best method for reducing crime; therefore, it is extremely important for those students in juvenile detention facilities to receive appropriate education services to meet their needs. Unfortunately, because of the temporary and changing student population in these facilities, this can be costly to the district in which the facility is located.

In order to not overburden the already limited budgets of these districts, we are asking you to support HB 2756.

Thank you for listening to our concerns.





**Testimony on H.B. 2756  
Before the House Committee on Education  
By Mark Tallman, Director of Governmental Relations**

**January 31, 1994**

Mr. Chairman, Members of the Committee,

Thank you for the opportunity to offer comments on H.B. 2756. This bill would, in effect, provide a "weighting" for students confined in juvenile detention facilities and receiving educational services from a school district.

KASB's school finance position states that we support weighting factors for students when it can be shown that variations result in higher costs. We would support the concept of weighting for students in juvenile detention facilities - if it can be demonstrated that the weighting factor would accurately reflect higher costs. However, our association has not been included in reviewing those costs, so we cannot at this point endorse H.B. 2756.

We urge the committee to carefully consider objective data before approving additional weighting factors. This issue is at the heart of some of the legal concerns which have brought school finance into the courts: the need for a rational educational reason to allow differences in spending. We support efforts to identify actual and appropriate differences in the cost of education for all students, and for all current and proposed weightings.

I will be happy to answer any questions.

House Education  
JAN. 31, 1994  
Attachment 4

# ***Kansas State Board of Education***

120 S.E. 10th Avenue, Topeka, Kansas 66612-1182

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January 31, 1994

TO: House Education Committee  
FROM: State Board of Education  
SUBJECT: 1994 House Bill 2767

My name is Connie Hubbell, Legislative Coordinator of the State Board of Education. It is a pleasure for me to appear before this Committee on behalf of the State Board.

House Bill 2767 is a measure to make it clear that student records are to be transferred from one school district to another when a child moves, except when the child has failed to return or pay for school property. The State Board has received numerous telephone calls from school officials indicating that some school districts do not transfer student records because the student owes fees, such as for gym classes. This makes it very difficult for the new school district to continue the education of the students. This is particularly true in regard to special education students.

So, with the language that is to be added to this statute, the law would be made clear that student records are to be transferred unless the student has failed to return or pay for school property. The State Board of Education recommends favorable consideration of this bill.

Dale M. Dennis  
Deputy/Assistant Commissioner  
Division of Fiscal Services and Quality Control  
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Fax No. (913) 296-7933

*House Education*  
*JAN. 31, 1994*  
*Attachment 5*





**Testimony on H.B. 2767  
Before the House Education Committee  
By Mark Tallman, Director of Governmental Relations**

**January 31, 1994**

Mr. Chairman, Members of the Committee,

Thank you for the opportunity to comment on H.B. 2767. After a review by our association's legal and education services departments, we are unclear why this bill is necessary. We are not aware that any school districts have failed to forward student records. However, we certainly do not oppose the intent of the bill, if the committee determines that some actual problems require statutory action.

I would be happy to answer any question.

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Attachment 6