

Approved: 3/14/94
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Chairperson Dave Kerr at 1:30 p.m. on March 10, 1994 in Room 123-S of the Capitol.

All members were present.

Committee staff present: Ben Barrett, Legislative Research Department
Avis Swartzman, Revisor of Statutes
LaVonne Mumert, Committee Secretary

Conferees appearing before the committee:

Senator Jerry Moran
Mark Tallman, Kansas Association of School Boards
Jo Wilson, Topeka
Chip Wheelan, Kansas Medical Society
Vicky Johnson, Kansas Department of Transportation
Rosanne Rutkowski, Department of Health and Environment
Terri Roberts, Kansas State Nurses Association
Sydney Hardman, Children's Coalition

Others attending: See attached list

HB 2899 - School districts, agreements for school attendance of nonresident pupils, certification of graduation

Senator Jerry Moran explained that the Mullinville and Greensburg school districts are operating under a contractual agreement whereby Mullinville provides junior high school grades for both districts and Greensburg provides high school grades for both districts. The contract states that those students who graduate during the 1993-94 school year will receive a Greensburg diploma, which is a violation of the current statutory language. HB 2899 allows districts with this type of contractual agreement to issue a diploma from the high school actually attended, whether or not the school is in the student's resident district. Senator Moran provided written testimony in support of HB 2899 from Robert Minchew, Superintendent, USD 424, Mullinville (Attachment No. 1).

Senator Tiahrt made a motion that HB 2899 be recommended favorably for passage and be placed on the consent calendar. Senator Frahm seconded the motion. Senator Oleen made a substitute motion that the provisions of SB 784 be amended into HB 2899. After being advised that a hearing is scheduled on SB 784, the substitute motion was withdrawn. The original motion carried.

HB 2975 - Children, age of eligibility for school attendance

Staff explained that the bill would change the date on which a child must attain the age of eligibility to attend school from September 1 to August 31. This change would assist in enrollment projections which is based on live birth data compiled on a monthly basis.

Mark Tallman, Kansas Association of School Boards, testified in support of the bill (Attachment No. 2). He noted that there is far more interest in enrollment forecasting under the new school finance formula.

Senator Emert made a motion that HB 2975 be recommended favorably for passage and be placed on the consent calendar. Senator Tiahrt seconded the motion, and the motion carried.

SB 558 - School buses, requiring use of passenger restraint systems

Staff explained the provisions of SB 558. The bill applies to buses under 10,000 pounds, purchased after 1977, that are fitted with safety belts and child restraint systems. There is no requirement for retrofitting of buses. Children under four years of age must use a child restraint seat, and children over the age of four, must use a safety belt. There is a fine of \$10 to be imposed on the driver for conviction of violation of this bill; however, the driver cannot be stopped or cited only for a violation of the safety belt law. The failure of

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, Room 123-S Statehouse, at 1:30 p.m. on March 10, 1994.

more than one occupant to use the safety belts at the same time would be treated as a single violation. If there is a conviction, it is to be construed as a moving violation. Under the provisions of the bill, evidence of failure to use safety belts is not admissible in any action for determining comparative damages.

Jo Wilson, Topeka, testified in favor of the bill (Attachment No. 3). She stated that the testimony was presented on behalf of Michael Brown, Lawrence. Ms. Wilson said that an investigation by the National Transportation Safety Board concluded that the crash forces of small school bus passengers is much more severe than passengers in large buses and that, in that investigation, almost half of the small buses involved in collisions also rolled over. She stated that at least three states ban the use of these types of small school buses.

Chip Wheelan, Kansas Medical Society, testified in support of SB 558 (Attachment No. 4). He said they believe that the bill is an extension of the existing child passenger safety act. His organization believes that the provisions of the bill will assist in minimizing injuries and resulting disabilities which might be sustained in an accident.

Vicky Johnson, Kansas Department of Transportation, spoke in favor of the bill (Attachment No. 5). She said her agency assisted in the drafting of the bill. She stated that no additional cost will be incurred by the districts for installation of belts, although the provisions which apply to children under four years of age will require the purchase of child restraint devices by the districts or parents. Ms. Johnson said the department has not implemented the provisions of the bill by administrative regulation because there could be no liability protection included in such a regulation. In response to questions from Committee members, Ms. Johnson stated that SB 558 would apply to any vehicle that meets the standards for being a bus and which is used to transport students to and from school or school activities. She noted that the immunity from liability would apply to evidence on either side of a lawsuit. Ms. Johnson said she feels that SB 558 would add impetus to the importance of wearing safety belts. Chairman Kerr asked that the agency provide statistics regarding the number of accidents, injuries and fatalities in the past year and past five years for Type A and Type D buses, both for Kansas and nationally. He also requested that if the same information is available for van-type activity buses, it be provided as well.

Rosanne Rutkowski, Department of Health and Environment, testified in favor of SB 558 (Attachment No. 6). She said that many small buses are used in the transportation of younger students. She remarked that the majority of school bus collisions are attributed to driver inattention and that student conduct improves with the use of safety belts, thus cutting down on distractions.

Terri Roberts, Kansas State Nurses Association, spoke in support of the bill (Attachment No. 7). She stated that the association supports the prevention of preventable accidents and injuries.

Sydney Hardman, Children's Coalition, testified in favor of the bill (Attachment No. 8). She said these buses are often used for special purposes, which includes transportation of special needs children.

In response to Senator Downey's question about the origination of verbal safety instructions on buses, Ms. Johnson advised that it is a regulation of the Department of Transportation that districts provide safety information at the beginning of any field trip but the wording of those instructions is not dictated by the agency. She went on to say that districts are concerned that any instruction which could be interpreted as stating that the district has a policy regarding safety belts could result in exposure to liability.

The Committee also received testimony in support of the bill from Donovan Lee, The Kansas Rehabilitation Hospital (Attachment No. 9). A memo, regarding SB 558, from Collins Industries, Inc. was provided to the Committee (Attachment No. 10).

HB 2188 - Establishing the KanLearn program of incentives for school attendance for certain recipients of aid to families with dependent children

During discussion of the bill, concern was expressed about beginning another program while some existing programs are underfunded. Senator Walker made a motion that HB 2188 be recommended favorably for passage. Senator Emert seconded the motion, and the motion carried.

Senator Frahm made a motion that the minutes of the March 8, 1994 meeting be approved. Senator Emert seconded the motion, and the motion carried.

The Committee also received a copy of the Kansans' Attitudes Toward Education report of February, 1994, conducted by the Jones Institute for Educational Excellence, Emporia State University (Attachment No. 11).

The meeting was adjourned at 2:30 p.m. The next meeting is scheduled for March 14, 1994.

SENATE EDUCATION COMMITTEE

TIME: 1:30 PLACE: 123-S DATE: 3/10/94

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Ann Co Burnett	Topeka	USD 501#
Kristen Heys	"	Cap-Journal
Deane Aft	"	KASS
Sumner Chase	Topeka	KNEA
Craig Grant	Topeka	KNEA
Marian Munnich	Lincoln, NE	
Linda Burkbridge	Lincoln, NE	
Ann K. L. L.	Lincoln, NE	
Rosanne Rutkowski	Topeka, KS	KDHE
Chip Wheelen	Topeka	KS Medical Society
Merla Hue	"	KACC
Winnie Hjortad	Wichita	USD 259
Lena M. Jarland	Oberland Park,	OP Chamber of Commerce
B. E. Mills	LAURENCE	INTECON - Sen Kerr
Evelyn L. Davis	Topeka	KS PTA
Barbara Stringle	Emporia	KS PTA
Jim Allen	Topeka	KFHC
Terri Roberts	Topeka	KSNA



MULLINVILLE U.S.D. 424

Mullinville, Kansas 67109

COUGARS

ROBERT E. MINCHEW
Superintendent
316-548-2521

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STATEMENT
concerning the revision of
KSA 72-8233(f) - HB 2899
March 10, 1994

Presented to the Kansas Senate Education Committee

Chairman Dave Kerr and members of the committee, I appreciate the opportunity to explain the need for you to pass House Bill 2899.

Mullinville and Greensburg schools are completing the fourth year of a contractual arrangement. Through this agreement Mullinville provides services for grades seven and eight for both districts, with no high school and Greensburg provides services for grades nine through twelve, with no junior high school. Both districts provide their own kindergarten through sixth grade classes. It has been a successful experience. People that were apprehensive and oppositional at first are now applauding the results. Students from both districts (communities) now think of themselves as Mullinville Junior High/Middle School students and Greensburg High School students.

Mutual benefits have been obtained from this contractual arrangement. Greensburg schools were having problems providing for the needs of high school and junior high school students activities and practice facilities. Mullinville was experiencing a decline in enrollment. This agreement has resolved problems in both districts. Mullinville now has four junior high/middle school classrooms of twenty students each. Greensburg has an additional twenty high school students. The junior high school students have their own facility and separate identity. Both districts have been able to spend funds more efficiently and to provide better quality programs to their students.

The policy Mullinville established for it's students attending Greensburg High School under this agreement gave students the option of receiving a Greensburg or Mullinville diploma for three years with the class graduating this year (93-94) receiving a Greensburg diploma. This is in violation of KSA 72-8233(f). We are in violation of statute when Mullinville students graduating from Greensburg High School receive a Greensburg diploma. That is the reason for this request to amend the statute, and allow students to receive a diploma for the high school from which they graduated. I feel that we should encourage students to maintain the relationships they have developed over six years of peer interactions, through the final recognition received with the granting of a diploma, certifying that they have graduated from the same school as their peers. To distinguish between them at that point is to further the image

Sen. Ed.
3/10/94
Attachment 1

that we are not united in our efforts and they are different based on their community membership.

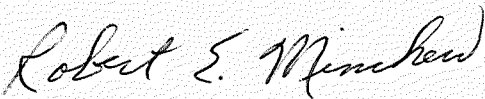
A logistical reason for the diploma to be granted from the school attended by the students is that all records and transcripts are maintained in the school where the students attend. (Greensburg)

In addition to the services provided through the agreement, both districts are working collaboratively on school improvement through a curriculum development and alignment process. Teachers and administrators from each district make up Subject Area Committees (SACs) which meet regularly and work together to design and build curriculum in designated subject areas. A curriculum steering committee made up of teachers, patrons, and administrators from each community oversee and provide guidance for this school improvement effort.

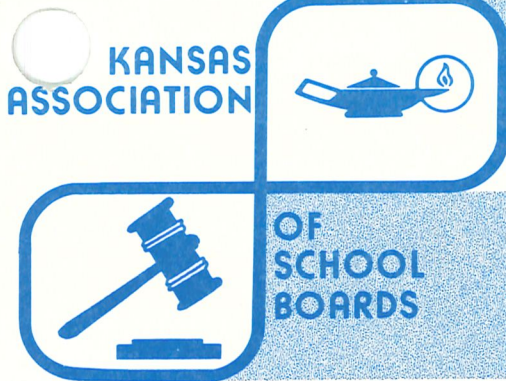
Another contract is currently being negotiated to continue the efforts begun four years ago with this innovative and pioneering approach to resolving district problems. I appreciate your support in considering the passing of this amendment to KSA 72-8233(f). It would help us in providing services to the students in our communities.

Thank you for the opportunity to address you concerning this issue.

Respectfully submitted,



Robert E. Minchew
Superintendent, USD 424, Mullinville



1420 S.W. Arrowhead Rd. Topeka, Kansas 66604
913-273-3600

**Testimony on H.B. 2975 Before the Senate Committee on Education
By Mark Tallman, Director of Governmental Relations
March 10, 1994**

Mr. Chairman, Members of the Committee:

We appreciate the opportunity to appear before you today in support of H.B. 2975, which was introduced by the House Education Committee at our request.

This bill would change the date on which a student must have attained the age of eligibility to attend school from September 1 to August 31. We are asking for this change because of how current law affects enrollment projection techniques for public schools.

Enrollment projections rely on resident live birth data for children born during the "year" of eligibility. Under current law, the eligibility year ends on September 1, rather than on August 31, which is the end of a complete month. In Kansas, resident live birth information is only available by month. Enrollment projections must assume that actual September 1 births cancel each other out from year to year. The smaller the district, the greater the likelihood that this assumption may be faulty in any given year, and may introduce an element of error into the projection.

The purpose of this bill is bring the eligibility period in line with live birth data. We believe this is a technical change. It has not been controversial. We urge you to report it favorably, and suggest you consider placing it on the consent calendar.

Thank you.

Sen. Ed.
3/10/94
Attachment 2



TO: Kansas Senate Education Committee, State Capitol, Room 123-South
FROM: Michael D. Brown, RN, MS, P.O. Box 864, Lawrence, KS 66044
SUBJECT: March 10, 1994 testimony on Senate Bill No. 558

Senate Bill 558 requires that persons riding in post-1977 small risky van-size school buses be secured by a standard equipment safety restraint. Those buses have a gross vehicle weight rating (with riders) of 10,000 pounds or less.

The Collins Bus Corporation in Hutchinson makes some risky van-size school buses that are only about 20 inches longer than a 1994 Ford Taurus sedan. Yet, those Collins vehicles still can have a seating capacity of up to 24 passengers.

School buses are regulated nationally by the federal Department of Transportation (USDOT) and statewide by the Kansas Department of Transportation (KDOT). The language in Senate Bill 558 is essentially that constructed by KDOT in response to the enclosed 1991 USDOT pupil transportation safety guideline.

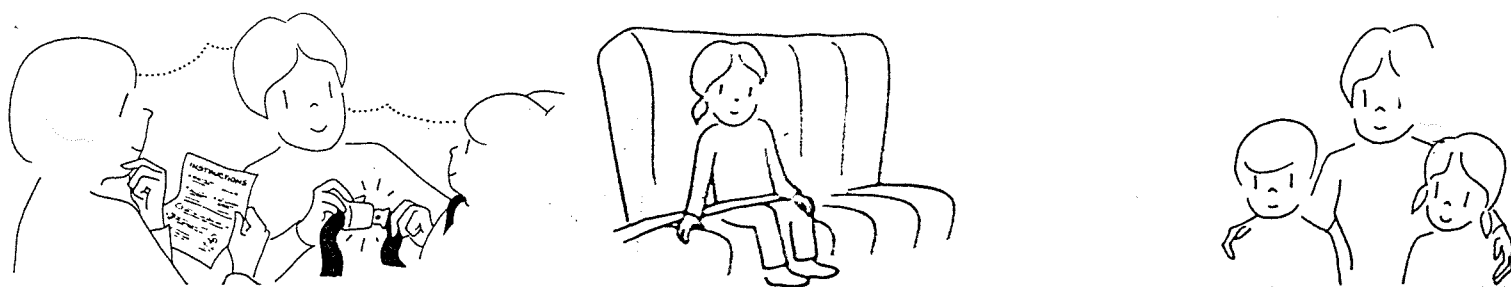
The Kansas Highway Patrol has given supportive input through the KDOT Task Force on School Transportation Regulations. Also, I have enclosed photocopies of letters from transportation researchers in the schools of engineering at both Kansas State University and the University of Kansas endorsing Senate Bill 558.

The federal National Transportation Safety Board conducted an engineering-based study of small risky van-size school bus crashes. Those researchers concluded, "If a school bus is involved in a collision with a car, the crash forces experienced by passengers riding on the small bus will be much more severe than if they had been riding on the large school bus."

In that investigation, 9 out of 19 (almost one-half) small risky van-size school buses that crashed also rolled over. Of those 9 small risky van-size school buses that rolled over, one turned over $2\frac{1}{4}$ full revolutions (810°) and 3 of them did not even strike another vehicle or other object. The passenger

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Attachment 3



Senate Education Committee 3/10/94 testimony by Michael Brown on SB 558, page 2
compartment floor is 36-38" from the road surface for large school buses but

only about 30" from the road for small risky van-size school buses.

The above federal pupil transportation safety guideline urging that standard equipment safety belts be used by all passengers in small risky van-size school buses resulted from analyzing such engineering-based evidence. Also, the federal National Highway Traffic Safety Administration asserts that it "believes that safety belts are necessary and effective in providing occupants protection in those vehicles, because of their similarity to cars."

From an engineering-based New Jersey school bus safety research review, I have enclosed a photocopy of that report's supportive conclusion relative to the use of standard equipment safety belts on small risky van-size school buses.

At least three states consider small risky van-size school buses so unsafe that they forbid their use in those states. I have enclosed photocopies of letters from the three state education departments on this pupil safety matter.

Since 1976, Washington has required that passengers in small risky van-size school buses wear their safety belts. I have enclosed a photocopy of a letter describing the Washington state education department's 17 years of experience implementing a requirement very similar to that contained in Senate Bill 558.

I have also given Senator Kerr photocopies of pertinent letters from other state education departments and/or state legal requirements relative to the use of standard equipment safety belts on small risky van-size school buses.

The engineering-based and other information from various states' education departments which I have described suggest that passengers in small risky van-size school buses made since 1977 should be required to wear a safety restraint.

Thank you for any attention that you give to helping us not, in the words of the Kansas State University engineer commenting on Senate Bill 558, "condemn innocent children to a higher risk of injury (or death) than is necessary."

g. Have a system of mirrors that conforms to the school bus requirements of FMVSS No. 111, 49 CFR 571.111, and provides the seated driver a view to the rear along both sides of the bus and a view of the front bumper and the area in front of the bus. Mirrors should be positioned and adjusted such that when a rod, 30 inches long, is placed upright on the ground at any point along a traverse line 1 foot forward of the forward-most point of a school bus, at least 7½ inches of the length of the rod should be visible to the driver, either by direct view or by the system of mirrors.

h. Comply with all FMVSS applicable to school buses at the time of their manufacture.

2. Any school bus meeting the identification recommendations of sections 1.a-h above that is permanently converted for use wholly for purposes other than transporting children to and from school or school-related events should be painted a color other than National School Bus Glossy Yellow, and should have the stop arms and school bus signal lamps described by sections 1.e & f removed.

3. School buses, while being operated on a public highway and transporting primarily passengers other than school children, should have the words "School Bus" covered, removed, or otherwise concealed, and the stop arm and signal lamps described by sections 1.e & f should not be operated.

4. School-chartered buses should comply with all applicable FMCSR and FMVSS.

C. *Operations.* Each State should establish procedures to meet the following recommendations for operating school buses and school-chartered buses:

1. *Personnel.* a. Each State should develop a plan for selecting, training, and supervising persons whose primary duties involve transporting school children in order to ensure that such persons will attain a high degree of competence in, and knowledge of, their duties.

b. Every person who drives a school bus or school-chartered bus occupied by school children should, as a minimum:

(1) Have a valid State driver's license to operate such a vehicle. All drivers who operate a vehicle designed to carry 16 or more persons (including the driver) are required by FHWA's Commercial Driver's License Standards by April 1, 1992 (49 CFR part 383) to have a valid commercial driver's license;

(2) Meet all physical, mental, moral and other requirements established by the State agency having primary responsibility for pupil transportation,

including requirements for drug and/or alcohol misuse or abuse; and

(3) Be qualified as a driver under the Federal Motor Carrier Safety Regulations of the FHWA, 49 CFR part 391, if the driver or the driver's employer is subject to those regulations.

2. *Vehicles.* a. Each State should enact legislation that provides for uniform procedures regarding school buses stopping on public highways for loading and discharge of children. Public information campaigns should be conducted on a regular basis to ensure that the driving public fully understands the implications of school bus warning signals and requirements to stop for school buses that are loading or discharging school children.

b. Each State should develop plans for minimizing highway use hazards to school bus and school-chartered bus occupants, other highway users, pedestrians, bicycle riders and property. They should include, but not be limited to:

(1) Careful planning and annual review of routes for safety hazards;

(2) Planning routes to ensure maximum use of school buses and school-chartered buses, and to ensure that passengers are not standing while these vehicles are in operation;

(3) Providing loading and unloading zones off the main traveled part of highways, whenever it is practical to do so;

(4) Establishing restricted loading and unloading areas for school buses and school-chartered buses at or near schools;

(5) Ensuring that school bus operators, when stopping on a highway to take on or discharge children, adhere to State regulations for loading and discharging including the use of signal lamps as specified in section B.1.f. of this guideline;

(6) Prohibiting, by legislation or regulation, operation of any school bus unless it meets the equipment and identification recommendations of this guideline; and

(7) Replacing, consistent with the economic realities which typically face school districts, those school buses which are not manufactured to meet the April 1, 1977 FMVSS for school buses, with those manufactured to meet the stricter school bus standards, and not chartering any pre-1977 school buses.

(8) Informing potential buyers of pre-1977 school buses that these buses may not meet current standards for newly manufactured buses and of the need for continued maintenance of these buses and adequate safety instruction.

c. Use of amber signal lamps to indicate that a school bus is preparing to

stop to load or unload children is at the option of the State. Use of red warning signal lamps as specified in section B.1.f. of this guideline for any purpose or at any time other than when the school bus is stopped to load or discharge passengers should be prohibited.

d. When school buses are equipped with stop arms, such devices should be operated only in conjunction with red warning signal lamps, when vehicles are stopped.

e. Seating. (1) Standing while school buses and school-chartered buses are in motion should not be permitted. Routing and seating plans should be coordinated so as to eliminate passengers standing when a school bus or school-chartered bus is in motion.

(2) Seating should be provided that will permit each occupant to sit in a seat intended by the vehicle's manufacturer to provide accommodation for a person at least as large as a 5th percentile adult female, as defined in 49 CFR 571.208. Due to the variation in sizes of children of different ages, States and school districts should exercise judgment in deciding how many students are actually transported in a school bus or school-chartered bus.

(3) There should be no auxiliary seating accommodations such as temporary or folding jump seats in school buses.

(4) Drivers of school buses and school-chartered buses should be required to wear occupant restraints whenever the vehicle is in motion.

(5) Passengers in school buses and school-chartered buses with a gross vehicle weight rating (GVWR) of 10,000 pounds or less should be required to wear occupant restraints (where provided) whenever the vehicle is in motion. Occupant restraints should comply with the requirements of FMVSS Nos. 208, 209 and 210, as they apply to multipurpose vehicles.

f. Emergency exit access. Baggage and other items transported in the passenger compartment should be stored and secured so that the aisles are kept clear and the door(s) and emergency exit(s) remain unobstructed at all times. When school buses are equipped with interior luggage racks, the racks should be capable of retaining their contents in a crash or sudden driving maneuver.

D. *Vehicle maintenance.* Each State should establish procedures to meet the following recommendations for maintaining buses used to carry school children:

1. School buses should be maintained in safe operating condition through a systematic preventive maintenance program.

(913) 532-5610 (Work)
(913) 539-2060 (Home)
(913) 532-7057 (FAX)

March 8, 1994

TO: Michael D. Brown, RN, MS (For Presentation to the Committee)

Mr. Brown invited me to join him in appearing before your committee but due to previous schedules I could not. My background includes education through the Ph.D. in Mechanical Engineering and I am a licensed professional engineer in the states of Kansas and Louisiana. I am employed as a Professor of Mechanical Engineering at Kansas State University located at Manhattan, Kansas. I am married to a 6th grade teacher and the father of 4 grown children, all born in Manhattan. My wife and I moved here from Louisiana in 1960.

I also provide consulting service to various companies around the country. This has even included the testing of seat belts by vehicle manufacturers. I have also served many legal firms as an expert witness. I am presently engaged (as an expert witness providing expert testimony) in a case involving the failure of a reclining seat back (passenger side) which lay down due to a rear end collision. This allowed the passenger to slip under the seat belt, over the collapsed seat back and be rammed, at high velocity, head first into the rear door of a small van. The adjustment mechanism of the drivers seat was bent but otherwise intact. The driver was only slightly injured. The passenger's present condition is nothing more than a vegetable.

The point of the above is this. A body needs to be restrained so as to stay in place in a vehicle. This includes the situation when the vehicle is a rather open, van-size school bus. I use the word "open" to relate to head clearance, open isle, etc., which provides freedom for bodies to be hurled around. Restraint is particularly needed when the motions of a vehicle involved in an accident come into play. An unconstrained body (an object or child) will continue to move in the direction it was going (Newton's Law), maybe at 55 mph, as the vehicle begins to slide, roll, impact or whatever. Within moments this unconstrained body can strike other objects, which are often hard, unpadded parts of the vehicle. These objects also include other occupants of the vehicle. These moving bodies could also strike the driver, who might have regained control, thus causing a worse situation to follow.

It is rather unbelievable to me that we have legislation that requires you and me to wear constraints in our private vehicles and yet do not consider our school children (their lives and well being) with such regard. The constraints are there. The only requirement is enforcement. The child is required to ride in this vehicle but is often too immature to voluntarily use the constraints.

In my opinion, legislation for constraint use in these small van-size school buses is necessary. Any opposition to this legislation (and its enforcement) is an attempt to condemn innocent children to a higher risk of injury (or death) than is necessary. Indeed, this risk of injury is higher for school children than it is for the general public. SHAME ON US!

I truly hope that this legislation passes.

The University of Kansas

Transportation Center

March 2, 1994

Senator Dave Kerr, Chairperson
Senate Education Committee
Kansas State Legislature
Topeka, Kansas

Dear Senator Kerr:

I am writing to provide information related to Senate Bill No. 558 which requires the use of manufacturer-provided safety belts on school buses with a gross vehicle weight rating of 10,000 pounds or less. School buses which fall into this weight category are the small buses, commonly described as "22-passenger" buses.

This type of vehicle is typical of those purchased on state contract for use by public and private non-profit agencies throughout the state in the transport of elderly and disabled adults. The Kansas University Transportation Center provides training and technical assistance to these agencies under contract with the Kansas Department of Transportation Office of Public Transportation. The Center has offered numerous training courses on safe transport of the elderly and disabled, typically utilizing vehicles of similar or exact design.

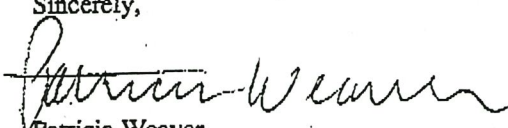
State bid specifications for vehicles procured by KDOT for use by these agencies require the installation of seat belts at all positions, including wheelchair positions. While state seat belt laws currently do not require use of the seat belts by passengers on public transportation vehicles, nearly all of the agencies funded by the Kansas Department of Transportation have a policy in place requiring use of the seat belts while the vehicle is in motion.

In safety training workshops offered by the Kansas University Transportation Center for agencies operating these services, all agencies are encouraged to develop a policy that requires their passengers to wear seat belts while the vehicle is in motion. A policy of this type is standard for the specialized transportation industry and considered essential due to the design characteristics of these vehicles. Since the common standard in the transport of adults in these vehicles is the use of seatbelts, it is appropriate that a requirement for securement of children would be in place.

While larger school buses manufactured after 1977 are designed to provide some protection of children in a crash situation by compartmentalizing them with high seat backs, extra padding, and no exposed metal, the structural protection afforded in small vehicles is much more limited. Further, crash forces are reported as more severe than in larger vehicles in a comparable crash situation, warranting a more aggressive policy to protect the passengers.

Please contact me if you have any further questions related to these vehicles.

Sincerely,


Patricia Weaver
Associate Research Scientist

date of the Bill that will establish that requirement. The requirement of seat belt use on Type II vehicles and the seat-belt equipped vehicles already in service should be effective immediately. The seat belts required should be of the lap belt type.

Seat belts are safety devices and their use should be treated with the seriousness they deserve. Their use should be strictly enforced, just like the use of protective equipment in sports events that students participate. Parents, principals, teachers, transportation coordinators, mechanics, and drivers have to cooperate if seat belts are to be effective.

The installation and use of seat belts, will obviously not eliminate fatalities and injuries completely, although a small step will be taken in the right direction. The progress of research on rearward facing seats should be followed closely. The concept has the potential of improving further the safety of school buses, and when conclusive results are available supporting its use, New Jersey should adopt it also. New Jersey has provided in the past a leadership role in highway safety (e.g., the Jersey barrier). It can do the same again by conducting evaluation experiments with buses equipped with rearward facing seats, similar to those conducted in Canada. The cost will be relatively small, but the potential benefits could be very substantial. They may provide the next substantial step towards improving school bus safety, and generate benefits similar to those achieved by the 1977 standards.

The fatalities and injuries occurring outside the bus are tragic and unjustifiable, and measures should be taken to reduce them. Monitors will be effective, but they are very costly. Mechanical gates, electronic sensors, video monitors, STOP arms, and better driver training are all alternatives for monitors but much less effective. This problem deserves more attention and study than seat belts. When the seat belt issue is settled, both proponents and opponents of seat belts should concentrate their efforts in improving safety on the outside of school buses. The authors of this report found that all groups are genuinely interested and concerned with school bus safety, no matter what their stand on seat belts was. When these groups of energetic individuals join their forces, the only possible outcome can be better protection for our children which are our society's most precious resource.



Maryland State Department of
EDUCATION

Schools for Success

Nancy S. Grasmick
State Superintendent of Schools

200 West Baltimore Street
Baltimore, Maryland 21201
Phone (410) 333-2000
TTY / TDD (410) 333-6442

September 1, 1992

Michael D. Brown, RN, MS
USPHS Haskell School Health Center
P.O. Box 864
Lawrence, KS 66044

Dear Mr. Brown:

In our recent conversation, you requested information as to why Type A school buses are prohibited in the transportation of Maryland public school students.

As I indicated to you, we have not allowed these units to be purchased for the transportation of public school pupils since 1978. The decision at that time was based on the safety of pupils. If you look at CFR 49 Part 571 and compare the Type A and Type C construction standards, you will find that there are a number of differences. With these in mind, along with the aspect of profile and visibility, the decision was made in 1978 to eliminate the use of Type A units.

I trust that this will be of some assistance to you.

Sincerely,

Wm. Richard Alexander
Interim Chief, Pupil Transportation

WRA/bef



NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION

116 West Edenton Street, Education Building
Raleigh, NC 27603-1712

BOB ETHERIDGE
State Superintendent

October 27, 1992

Mr. Michael Brown
Haskell Health Center
P. O. Box 864
Lawrence, KS 66044

Dear Mr. Brown:

This memo is in response to your questions concerning the types of school buses operated in North Carolina. Since 1984, our state has purchased only buses that are considered "Class-C" under the federal standards. Some Class-B vehicles were tested prior to 1984, but did not meet our expectations for durability. No Class-A vehicles have ever been purchased as "school buses." In addition, we do not feel the vehicles that are categorized in either Class-A or Class-B are as crashworthy as the larger Class-C buses. For your information, a copy of our minimum specifications are attached.

Sincerely,

Doug White, Chief Consultant
Transportation Services

DCW:mec



Dr. Barbara Stock Nielsen
State Superintendent of Education

STATE OF SOUTH CAROLINA

DEPARTMENT OF EDUCATION

November 5, 1992

Mr. Michael D. Brown, RN, MS
USPHS Haskell School Health Center
Post Office Box 864
Lawrence, Kansas 66044

Dear Mr. Brown:

This is in response to our recent telephone conversation concerning the purchase of school buses with a vehicle weight rating (GVWR) of 10,000 pounds or less.

At present, South Carolina is not operating any school buses with a gross vehicle weight rating of 10,000 pounds or less. Our fleet of buses start with a 36 capacity chassis and go up to 77 capacity chassis.

Not only has the 36 capacity chassis provided a greater margin of safety for our children, but many parts and tires are the same as our larger buses making it more cost effective. The installation and operation of wheelchair lifts, four-way tie down and restraints are accomplished much easier with this size bus. Also, with the increased capacity, less buses are needed.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

H. Crawford Bookout, Jr.
Assistant Director, District Services
State Office of Transportation

HCB, JR./ahgk



AGENCY MEMORANDUM

JUDITH A. BILLINGS

SUPERINTENDENT OF PUBLIC INSTRUCTION

March 8, 1994

TO: Michael Brown
Kansas State

FROM: Don M. Carnahan, Director
Washington's Pupil Transportation

RE: seatbelts on school buses

Attached is Washington Administrative Code (WAC) 392-145-010, requiring seatbelt use on school buses. This rule has been in place since 1976.

We have had no problems with this rule. As you can see from the rule, this applies to all school buses, not just type A. The only school buses larger than type A with seatbelts, are those that have been specially equipped for the transportation of students with special needs.

Once again, this rule applies in all cases, and we have had no problems.

kmk

Post-It™ brand fax transmittal memo 7671		# of pages → 2
To: Michael Brown	From: Don Carnahan	
Co.	Co.	
Dept.	Phone # 206-753-0235	
Fax # 913-843-8815	Fax # 586-3946	



KANSAS MEDICAL SOCIETY

623 SW 10th Ave. • Topeka, Kansas 66612 • (913) 235-2383
WATS 800-332-0156 FAX 913-235-5114

March 10, 1994

To: Senate Education Committee
From: Chip Wheelen, KMS Director of Public Affairs *Chip*
Subject: Senate Bill 558; Student Passenger Safety

The Kansas Medical Society supports SB558 because it would result in reduced severity of injuries sustained by students who are passengers in small school buses when an accident occurs. This bill constitutes an extension of the child passenger safety act which we supported for the same reason.

The existing provisions of the child passenger safety act apply to cars and vans which transport 10 or fewer passengers, whereas SB558 would apply to small buses. Current law holds the driver of the vehicle responsible for compliance with the requirement that children be buckled up or if under age four, be secured in a proper restraining system. Similarly, SB558 would hold the bus driver responsible for assuring the safety of passengers. Current law imposes a \$20 fine for violation but refunds \$10 if the violator purchases a child safety restraint system. Consistently, SB558 imposes a \$10 fine for failing to assure that passengers are properly restrained in the vehicle.

Passage of SB558 would provide reasonable assurance that students transported in small buses would be properly secured. When an accident occurs, this would improve the ability of emergency medical personnel and physicians to save lives of children involved in such accidents and would also improve the ability to minimize disabilities that may result from injuries.

Thank you for considering our comments. We respectfully request that you recommend passage of SB558.

*Sen. Ed.
3/10/94
Attachment 4*



Michael L. Johnston
Secretary of Transportation

KANSAS DEPARTMENT OF TRANSPORTATION

Docking State Office Building
Topeka 66612-1568
(913) 296-3566
FAX - (913) 296-1095

Joan Finney
Governor of Kansas

TESTIMONY BEFORE
SENATE EDUCATION COMMITTEE
ON
SENATE BILL 558
SCHOOL BUSES, PASSENGER RESTRAINT USE ON CERTAIN BUSES

March 10, 1994

Mr. Chairman and Committee Members:

I am Vicky Johnson, a staff attorney for the Kansas Department of Transportation. On behalf of the Department of Transportation, I am here today to provide testimony on Senate Bill 558.

This bill would require the use of manufacturer-installed seat belts on school buses with a Gross Vehicle Weight Rating of 10,000 pounds or less. Additionally, it would require that children under four years of age use a child restraint device in that class of vehicle.

The Department has had several meetings with Michael Brown to discuss this bill and has had considerable input into some of its provisions. This bill is different than most of the school seat belt legislation that has been considered in the past in several noteworthy respects. First, it applies only to school buses with a GVWR of 10,000 pounds or less. This class of bus comes from the manufacturer with seat belts installed pursuant to the requirements in the Federal Motor Vehicle Safety Standards. Therefore, no

additional cost will be incurred by the districts for the installation of the belts. This is further supported by the provisions in Section 6 that make it clear that no retrofitting will be required and that this act shall not apply to buses manufactured prior to 1977 when belts became required manufacturer installed equipment on this class of bus.

Second, it requires the use of a child restraint devices for children under four years of age. Although this will require the purchase of such devices by the districts or the parents, there is abundant research to support the need for such a device with children of that age group. Third, this bill contains liability protection for the school districts or other operators of such vehicles in the event a child is injured while not wearing the required belt or child restraint. This is important due to the virtual impossibility of guaranteeing 100% usage 100% of the time. This is the same protection contained in current passenger vehicle seat belt laws in Kansas. Existing seat belt legislation is also the model for the provisions in this bill that require law enforcement officers have another violation to support any stop of a driver for violation of this act.

The Department has been urged by some in the past to adopt the provisions of this bill by administrative regulation. The Department has had concerns about doing that because there could be no liability protection included in such a regulation because it would be outside of the scope of the Secretary's authority. It is therefore the Department's position that this requirement is better set by statute.

State of Kansas

Joan Finney, Governor



Department of Health and Environment

Robert C. Harder, Secretary

Testimony presented to
Committee on Local Government

by

The Kansas Department of Health and Environment

Senate Bill 558

I am pleased to present testimony today in support of SB 558 which requires the use of safety belts and/or child safety seats in small school buses (those under 10,000 pounds) manufactured after 1977.

It is estimated by personnel at the Kansas Department of Transportation that approximately 1,300 small school buses are currently in use in Kansas schools. Because of their weight and design, these small buses respond in a crash situation in a similar manner as cars. They are required by federal law to be equipped with safety belts, but are not currently covered under the Kansas Child Passenger Safety Law, which requires the safety belts to be used.

Small school buses are commonly used to transport younger students, Headstart, special education and handicapped students. Many districts are now beginning to incorporate early childhood development programs into their curriculum, and transporting these children safely is becoming an issue. Small buses fall into a "gray" area with regard to enforcement of the safety belt laws because, while they are equipped with safety belts, they are exempt from the Kansas Child Passenger Safety Law.

The National Highway Traffic Safety Administration reports that the majority of school bus crashes can be attributed to driver inattention. The School Bus Safety Belt Coalition has reports that student conduct improves on buses in which safety belts are used, thereby cutting down on distractions and thus improving driver concentration on the road.

The Kansas Department of Health and Environment recommends passage of SB 558. We believe that all children should be properly restrained in this type of moving vehicle, whether that is accomplished by a safety belt or an infant/child safety seat.

Testimony presented by: Name Rosanne Rutkowski
Director
Disabilities and Injury Prevention Programs
Office of Chronic Disease and Health Promotion
Division of Health
March 10, 1994

FOR MORE INFORMATION CONTACT:
Terri Roberts J.D., R.N.
Executive Director
900 SW Jackson, Suite 601
Topeka, Kansas 66603-3731
913-233-8638
Date: March 10, 1994

**S.B. 558 Requiring Use of Passenger Restraint Systems in
School Van-Type Buses**

Chairperson Kerr and members of the Senate Education Committee, my name is Terri Roberts and I am the Executive Director of the Kansas State Nurses Association and I am here in support of S.B. 558.

The federal National Transportation Safety Board (NTSB) studied crashes of 19 small (under 10,000 pounds gross vehicle weight rating) school van-type buses and found that nine (one-half) of those 19 vehicles which crashed also rolled over. Of those nine small school van-type buses that rolled over, one turned over 2 1/4 full revolutions (810) and three of them did not even strike another vehicle or other object. Due to the facts that such vehicles (a) carry children nearer to the level where an automobile would strike and (b) have other exterior and interior crashworthiness weaknesses compared to large school buses, the NTSB concluded, "If a school bus is involved in a collision with a car, the crash forces experienced by passengers riding on the small school bus will be much more severe than if they had been riding on a large school bus."

Maryland, North Carolina, and South Carolina consider those vehicles so unsafe for child riders that those states forbid small school van-type buses to be used for pupil transportation.

Nebraska, Alaska, Florida, Massachusetts, Utah, Wisconsin, Oregon, Montana, Washington, and Wyoming each has a child passenger safety statute or a corresponding regulation requiring the proper use of provided seat safety systems in all pupil transportation vehicles while Maine and New Jersey each has a similar statute applying to all pupil transportation buses.

Thank you for your consideration.

a:94legislation/orange/sb558/1a

Required Use of Seat Safety System When Riding Small School Van-Type Bus Submitted by District 17 Resolution 93-5

WHEREAS, the federal National Transportation Safety Board (NTSB) found that nine of 19 school van-type buses (under 10,000 lbs. gross vehicle wt. rating) which crashed, also rolled over; and

WHEREAS, the federal National Highway Traffic Safety Administration asserts that it "believes that safety belts are necessary and effective in providing occupants protection in those vehicles, because of their similarity to cars;"² and

WHEREAS, Maryland, North Carolina, and South Carolina consider those vehicles so unsafe for child riders that those states forbid small school van-type buses to be used for pupil transportation; and

WHEREAS, Nebraska, Alaska, Florida, Massachusetts, Utah, Wisconsin, Oregon, Montana, Washington, and Wyoming each has a child passenger safety statute or a corresponding regulation requiring the proper use of provided seat safety systems in all pupil transportation vehicles while Maine and New Jersey each has a similar statute applying to all pupil transportation buses; and

WHEREAS, during the 1993 Session, the Kansas Senate, but not the House of Representatives, passed House Bill 2036 child passenger safety amendment in line with pupil transportation recent recommendations from (a) the federal Department of Transportation, (b) a Kansas Highway Patrol representative to the Kansas Department of Transportation (KDOT) Pupil Transportation Task Force, (c) the Secretary of KDOT, and (d) Governor Finney requiring use of a seat safety system when riding in a small school van-type bus; therefore be it

RESOLVED, that Kansas State Nurses Association, will advocate child passenger safety legislation requiring all occupants riding in one of the state's more than 350 small school van-type buses to wear a federally-approved seat safety system.

RATIONALE: This action will increase the safety of those Kansas children who ride in small school van-type buses.

Footnotes

1. National Transportation Safety Board. (1989). *Crashworthiness of small post-standard school buses: Safety study*. Springfield, VA: U.S. Department of Commerce National Technical Information Service) (p. 8.)

2. National Highway Traffic Safety Administration. (1985). *Safety belts in school buses*. Washington, D.C.: Author. (p.1.)

References

Alaska Statutes, Title 28, Article 2, Section 28.05.095(c)(1) (1992).
Alexander, W.R. (personal communication, September 18, 1992).
Annotated Laws of Massachusetts, Chapter 90, Section 7AA (1993).
Bogina N. (personal communication, March 22, 1993).
Bookout, H.C., Jr. (personal communication, November 5, 1992)
Building a legacy through legislation. (1992, February). *Kansas Nurse*, 67, cover.
Department of Transportation. (1991, April 26). Highway safety program guideline no. 17, pupil transportation safety.
Federal Register, 56, 19270-17280.
Florida Statutes Annotated, Title 16, Chapter 234, Section 234.02 (1993)
Grant, S. (personal communication, January 6, 1993)
Kansas Administrative Regulations, Agency 36, Article 13 (1992).
Kansas Legislature House Bill NO. 2036 (1993 Session)

Kansas Statutes Annotated, Title 29, Chapter 11, Section 2014-3 (1978).
Maine Revised Statutes Annotated, Volume 9, Title, 61, Chapter 13, Section 61-13-103 (1991).
Nebraska Administrative Code, Title 92, Chapter 92, Section 008 (1991).
New Jersey Legislature Assembly Bill No. 1216 (1992 Session).
Oregon Revised Statutes Annotated, Volume 51, Title 59, Chapter 811, Section 811.210 (1992).
Roberts, T. & Glynn, D. (1989, June). Kansas legislative year in review 1989. *Kansas Nurse*, 64 12-13.
Utah Code, Article 16, Section 41-6-148.20 (1992).
Washington Administrative Code, Chapter 392, Section 392-145-010(4) (1991).
White, D. (personal communication, October 27, 1992).
Wisconsin Statutes Annotated, Chapter 347, Section 347.48 (1992)
Wyoming School Bus Rules and Regulations, Section 9(d) (1991).

Approved by KSNA Convention Body October 1993
Kansas State Nurses Association Constituent of The American Nurses Association

700 SW Jackson, Suite 601 • Topeka, Kansas 66603-3731 • (913) 233-8638 • Fax (913) 233-5222
Carolyn Middendorf, M.N., R.N. -- *President* • Terri Roberts, J.D., R.N. -- *Executive Director*

**TESTIMONY TO THE
SENATE EDUCATION COMMITTEE
RE: S.B. 558**

MARCH 10, 1994

I am Sydney Hardman, and I'm here today to represent the Children's Coalition and its thirty member organizations. The Children's Coalition strongly urges your support for S.B. 558.

We are interested in S.B. 558 because we believe it closes a loophole in our current safety belt laws. The small van-type school buses are often used for special purposes, which includes transportation of special needs students.

The National Transportation Safety Board has studied the small school buses, 10,000 lbs. or less, and found numerous risk factors, such as propensity to roll over in a crash, less roof strength than large buses, joint separations, and a closer distance from the bus's floor to the road. The National Highway Traffic Safety Administration has found that safety belts are "necessary and effective" for passenger safety because the small school buses are so similar to cars.

The Children's Coalition, as a network of organizations advocating for the best interest of Kansas children, believes that S.B. 558 is an added safety net for our children.

Sen. Ed.
3/10/94
Attachment 8



The Kansas Rehabilitation Hospital

**Testimony to
Senator Dave Kerr
RE: SENATE BILL 558
Presented by Donovan Lee, LSCSW**

I am before you to testify in favor of Senate Bill No. 558. I am a clinical social worker with seventeen years of experience as a family counselor. During the past seven years of my career I have been involved with survivors of brain injury and their families in my work at a rehabilitation hospital.

As a supporter of this bill, I would like to make your committee aware of issues faced by families who have a child that is brain-injured from a motor vehicle accident. In the cases of more serious injuries, families must deal with the uncertainty of whether or not their child will live. In the first hours, days, and sometimes weeks after the brain injury, family members are in a state of shock. This period is characterized by disorientation, memory loss, and an overall feeling of numbness. Some families stay in this protective state because it is too difficult to deal with the reality of the event.

When a family experiences trauma, there is usually a sense of loss and an increase in tension and stress. With regard to brain injury, families have a loss reaction, but there is no final closure. Families must adjust to the loss while at the same time learning to cope with a child who has suffered significant impairment in physical abilities, cognitive communication skills, and emotional and social behavior. These families experience episodic grief reactions. For example, a mother may feel great sadness and even depression when her daughter's friends are graduating from elementary school while her daughter is in a coma.

Denial is a double-edged sword for the family learning to cope with brain injury. On one hand it provides families with the hope that gets them through the most difficult days. At some point, however, it is essential that families face the fact that their loved one may never be one hundred percent like they were prior to the injury. This will make it possible for the family to help their child make realistic goals for school and the challenges posed as the child moves through their developmental stages.

After some of the denial has diminished, there may be a flood of anger feelings. Facing the reality that your child may not fully recover gives rise to feelings of unfairness. These families must learn to channel their anger toward constructive action. There is also a greater risk of divorce with these families.

1504 S.W. 8th Street, Topeka, Kansas 66606
(913) 235-6600

Working To Make Life Better

A Continental Medical Systems facility

Sen. Ed.
3/10/94
Attachment 9



There is no cure for traumatic brain injury, but there is prevention. This proposed bill would have an important impact on decreasing the number of Kansas children who receive brain injuries. It would save these children and their families from the devastation and despair created by these injuries. This law has its place in a constellation of other preventive measures that include educational programs in our schools and communities. Senate Bill No. 558 is worthy of your most serious consideration.

A handwritten signature in black ink, reading "Donovan Lee", is positioned above a horizontal line.

Donovan Lee, LSCSW
Director, Brain Injury Unit
Kansas Rehabilitation Hospital

Collins Industries, Inc. • 421 East 30th Avenue • Hutchinson, Kansas 67502-2493 • (316) 663-5551



FAX TRANSMITTAL

DATE: March 7, 1994
TO: Senator Dave Kerr
FROM: Rod Nash
SUBJECT: Senate Bill No. 558

I'll be in Texas on Thursday, but here are some facts that may prove useful in considering your bill on requiring seat belts to be fastened in Type "A" school buses.

1. School bus seats are designed and tested to a protection scheme called compartmentalization. This concept requires the school bus seats to provide the passengers an injury avoidance mechanism for crash situations. This happens because the seat back ahead of a student is designed to bend and absorb energy in an impact situation. Similarly, the seat the student sits on acts in a similar manner in a rear-end impact. Lots of time and effort go into the testing of all production school bus seats to make sure they conform to the safety standards of the Federal Department of Transportation.

The National Highway Traffic Safety Administration chose to require a seat belt in addition to the seat design in a Type "A" school bus (less than 10,000 lbs. G.V.W.R.). This was because small buses were just coming into use at the time of the safety standard writing. The test of time since 1977 has shown that compartmentalization has worked effectively in small buses as it has worked in large buses. Figures kept by the Kansas Department of Transportation will show that fatal accidents occur no more frequently in small buses than they do in large buses.

Sen. Ed.
3/10/94
Attachment 10

2. Two states require seat belts in school buses with gross vehicle weights over 10,000 lbs. These two states are New York and New Jersey. New York hasn't mandated the use of seat belts on school buses because of a concern for liability falling on the schools and bus contractors if the belts weren't fastened. Also, the cost of having monitors on the buses to check seat belt securement was judged by the state of New York to be too costly. New Jersey is closely following New York's lead. This fall New Jersey will experiment with mandatory belt usage. As of this writing, enforcement is still a question.

No states require the use of seat belts in school buses according to the Association of State Directors of Pupil Transportation.

3. Students are being transported in school vehicles that are not certified school buses. Eighteen states have moved to prohibit the use of vans for activity vehicles. Passenger vans and personal cars don't have seats designed to protect students in crash situations. Kansas hasn't addressed the issue of transporting students in vehicles other than school buses. The statute under consideration doesn't address these non-certified vehicles.
4. Last year, according to Kansas Department of Transportation statistics, one fatality resulted from a crash involving a Type "A" school bus in the entire United States. In that same time frame, a single death resulted in a Type "D" school bus. There is as much need, according to these facts, to have seat belts fastened in large transit-style school buses as there is in Type "A" school buses.

For comparison, 22 children were run over by their school bus or an approaching vehicle in this same time period. There is much more need to work on safety for students entering or exiting their buses than there is to add legislation requiring the bus driver to make sure that up to 24 seat belts are fastened.

5. We have no particular position on this legislation but would ask that the facts be reviewed before proceeding. It would be appropriate to review the situation of a school bus driver in this legislation. According to the draft, this person will bear the responsibility for making sure all students belts are secure. Why would anyone want to drive a 10,000 lb. school bus when an assignment to a 15,000 lb. school bus would have less requirements? By the same token, why would school boards want to buy 10,000 lb. school buses when they could buy slightly larger buses and have less hassle in finding drivers to accept the responsibility of the task. It seems that operational requirements should be the same for all school transportation vehicles.



JONES INSTITUTE FOR EDUCATIONAL EXCELLENCE

KATE VIII
KANSANS' ATTITUDES
TOWARD EDUCATION

FEBRUARY, 1994

THE TEACHERS COLLEGE
EMPORIA STATE UNIVERSITY

Sen. Ed.
3/10/94
Attachment 11

PROJECT DIRECTORS	Interview Supervisors		
<p>Jack Skillett Project Director</p> <p>Loren Tompkins Associate Project Director</p> <p>Crystal Davis Project Coordinator</p>	<p>Donna Allen</p> <p>Ed Butler</p> <p>Myrliss Hershey</p> <p>Eileen Hogan</p> <p>Donna Jamar</p> <p>Lori Mann</p> <p>Paul McKnab</p>	<p>Joella Mehrhoff</p> <p>Tes Mehring</p> <p>Alyce Meredith</p> <p>George Milton</p> <p>Noel Mintz</p> <p>Bob Rubenow</p> <p>Beth Saiki-Olsen</p>	<p>Bill Samuelson</p> <p>Howard Smith</p> <p>Lloyd Stone</p> <p>Pam Swafford</p> <p>Scott Waters</p> <p>Ken Weaver</p>
<p>Interviewers Psi Chi, Psychology Club, Kappa Delta Pi, and Student-National Education Association</p>			

BACKGROUND OF STUDY

In the spring of 1980, The Teachers College at Emporia State University conducted an intensive survey of the attitudes of Kansans toward the public schools in their communities. Patterned after the national Gallup Poll on public education, the Emporia State project was named KATE (Kansans' Attitudes Toward Education).

Funding for the survey is currently being provided by The Teachers College at Emporia State University and the State Board of Education. The cooperation of the State Board of Education deserves special mention: Without that agency's encouragement and financial support, it is doubtful that this poll or previous polls could have been completed.

The response of the general public and special interest groups to the report of the KATE project was such that university officials decided to repeat the study periodically. Thus, Kate II through VIII have been conducted biennially.

The researchers in this study also acknowledge the significant contribution of the Gallup Poll toward their project. Similarity with Gallup's annual nationwide survey on public education is most evident in the general areas of (1) conceptualization and (2) the replication and modification of certain questions. The KATE poll does depart significantly with regard to (1) interviewing methodology and (2) several of the questions employed in the poll. Specifically, the KATE survey utilizes telephone interviewing techniques to ascertain attitudes while the Gallup poll employs a personal interview technique. Also, several of the questions in the KATE poll are developed to focus on specific Kansas issues.

RESEARCH PROCEDURES

Analysis of Data

It should be noted that, in this report, all variables are not covered for each question due to the multiplicity of variables and the limitation of space; however, data for those variables which appear to be most significant are included. A brief summary pertaining to the data for each question is provided.

Allowance must be made for statistical variation, especially in the application of findings for groups where few respondents were interviewed. Every effort was made to recognize bias in sample selection and to minimize this error whenever possible. Projected error rate is plus or minus 3.5 percent.

Sample Selection

The procedures employed in determining the sample consisted of (1) identifying all telephone directories serving residents in the state of Kansas and (2) establishing a systematic procedure for selecting at random from the telephone listings the residents to be included in the poll. All telephone directories serving Kansas residents were located in the Kansas State Library.

A total of 888,470 residential telephone listings was identified as the total population. A systematic random sampling procedure was used by researchers to select 876 listings. Also, a procedure for the selection of replacement listings was established.

The sample used in this survey involved a total of 876 adults (18 years of age and older). Four sample grids were developed to enhance the randomization of individuals within each household.

Grading Local Schools

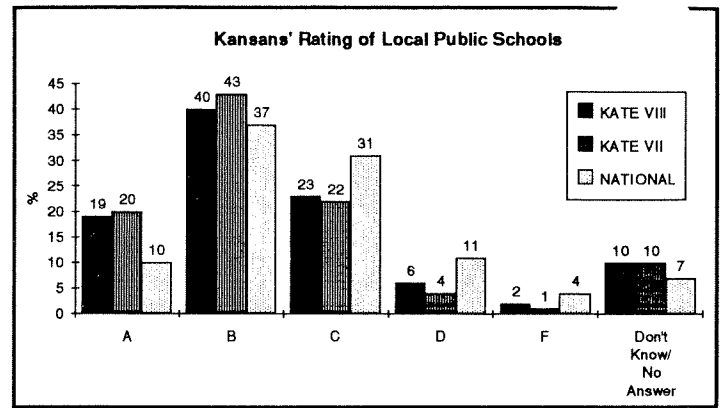
Once again, Kansans believe local public schools are doing a good job in general. Nearly 60 percent of respondents gave schools a grade of A or B. This was a slight decrease from 1991. In 1993 there was also a slight increase in grades of D and Fail.

On the national level, however, respondents' grades of A or B showed the largest one-year increase since the question was first asked in 1974 -- up to 47 percent from 40 percent in 1992. The question:

Students are often given the grades A-B-C-D or Fail to denote the quality of their school work. Suppose the public schools themselves, in your community, were graded in the same way. What grade would you give the public school in your community--**A-B-C-D** or **Fail**?

Parents whose children attend public schools continue to give local public schools higher marks than parents whose children attend private schools. In 1993, 71 percent of parents with children in public schools gave schools an A or B. Only 44 percent of parents with children in private school gave the same grade.

	A %	B %	C %	D %	Fail %	Don't Know/ No Answer %
Kansas Totals	19	40	23	6	2	10
Respondents with- Children in public schools	21	50	22	4	1	2
Children in private schools	11	33	15	7	7	27
No children	18	36	24	7	2	13
Area of residence						
Northwest	31	46	17	0	0	6
Southwest	29	34	24	5	0	8
North Central	21	45	21	4	0	9
South Central	17	46	25	2	0	10
Sedgwick	11	25	34	13	4	13
Northeast	16	45	21	5	0	13
Wyandotte/Johnson Counties	21	45	13	4	3	14
East Central	18	42	25	4	1	10
Southeast	28	36	19	9	2	6

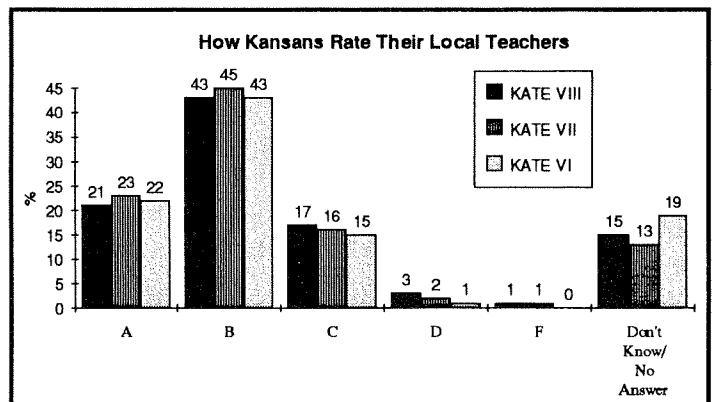


Grading Local Teachers

In 1993, 64 percent of respondents gave local teachers a grade of A or B. This is down slightly from the 1991 survey, in which 68 percent of respondents gave an A or B. In general, responses to this question have remained steady over the past six years. The question:

Now, what grade would you give the teachers in the public schools in your community--**A, B, C, D**, or **Fail**?

As would be expected, parents whose children attend public schools gave teachers much higher marks than respondents with no children. The fact that parents would relate to their children's teachers on a more personal level may well explain the overwhelming support.



	A %	B %	C %	D %	Fail %	Don't Know/ No answer %
Respondents with Children in public schools	26	50	17	3	1	3
Children in private schools	11	48	7	0	0	34
No children	17	40	18	3	2	20

Kansans Perceive Teachers' Salaries

More than 40 percent of respondents think that teachers are not paid enough. Only 3 percent, however, believe teachers' salaries are too high. A full 39 percent believe salaries are about right. The question:

Do you believe that salaries for teachers in your community are **too high**, **too low**, or **about right**?

More than one-half of the respondents age 18 to 34 believe teachers' salaries are too low. Of those age 18 to 24, 59 percent believe salaries are too low; 54 percent of age 25 to 34 held a similar view.

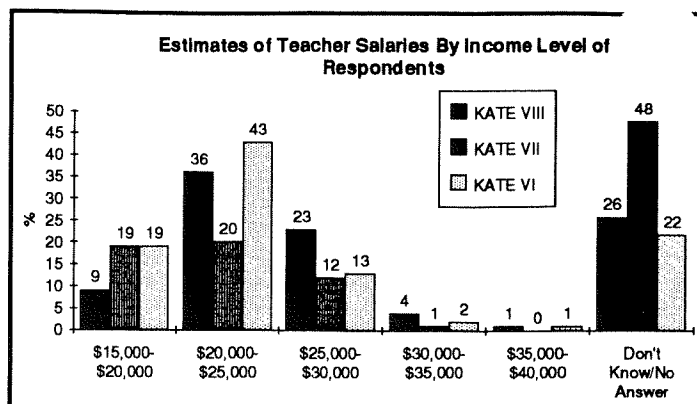
By contrast, only 24 percent of respondents age 65 and older believe teachers' salaries are too low. Considering that older people have less involvement with schools and faculty, this result is somewhat expected.

	Too High %	Too Low %	About Right %	Don't Know/ No Answer %
KATE VIII	3	43	39	15
KATE VII	4	46	40	10
KATE VI	2	46	40	12
Respondents Age				
18 - 24	0	59	30	11
25 - 34	2	54	26	18
35 - 49	4	46	37	13
50 - 64	3	40	41	16
65 and older	5	24	56	15

How Much Do Teachers Make?

Respondents in 1992 estimated teachers' salaries higher than in the past two KATE studies (1989 and 1991). In 1993, more than 23 percent of those surveyed thought teacher salaries were between \$25,000 and \$30,000. In addition, respondents who earn salaries of \$25,000 or more were more likely to estimate teachers' salaries higher than Kansans who earn less. The question:

Would you say that the average teacher's salary in your school district is between \$15,000 and \$20,000; \$20,000 and \$25,000; \$25,000 and \$30,000; \$30,000 and \$35,000 or \$35,000 and \$40,000?



	\$15,000- \$20,000 %	\$20,000- \$25,000 %	\$25,000- \$30,000 %	\$30,000- \$35,000 %	\$35,000- \$40,000 %	Don't Know/ No Answer %
Respondents with-						
Income less than \$15,000	13	27	16	1	0	43
Income \$15,000-\$25,000	13	35	17	1	1	33
Income \$25,000-\$35,000	9	37	24	2	1	27
Income more than \$35,000	6	41	29	8	1	15

Education

Non High School Graduates	15	15	11	0	2	57
High School Graduates	9	33	19	3	1	35
College (No Degree)	10	41	21	4	0	24
College (Degree)	7	38	31	7	1	16

Keeping Children Where They Are

In this two-part question, more than 72% of the respondents said that, given the choice of any school in their community, they would leave their child in his or her current school.

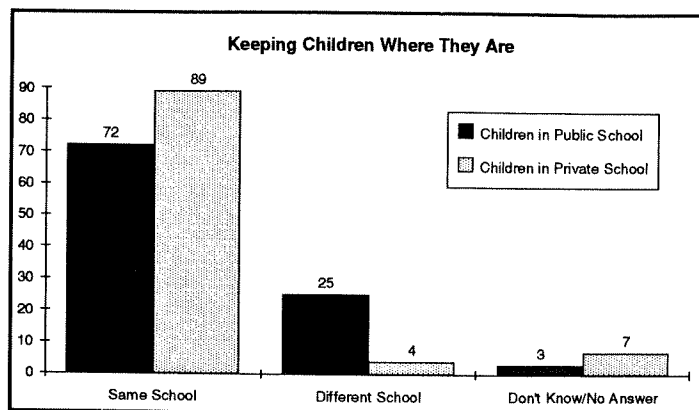
Of the 25 percent of parents with children in public schools who expressed a desire for their children to attend different schools, 16 percent would send their children to another public school; 73 percent to a parochial or private school; and 8 percent to a home school.

If you could choose your children's schools among any of the public, parochial or private schools in your community, would you choose the schools they now attend or different ones? If different one, would your choice be a public school, a parochial school, private school or a home school?

Public School %	Parochial School %	Private School %	Home School %	Don't Know/No Answer %
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If Different School

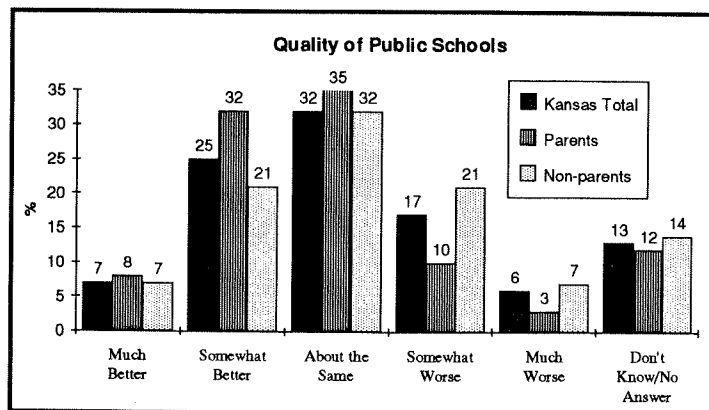
Parents with children in public schools	16	34	39	8	3
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Quality of Public Schools

Nearly one-third of Kansans (32 percent) believe public schools are either much better or somewhat better than they were five years ago. Another 32 percent said schools stayed about the same, and 22 percent felt schools had gotten worse. These results are generally in keeping with KATE VII and KATE VI results, although more people in KATE VIII expressed concern with the overall improvement of schools. The question:

Would you say that the overall quality of public schools in your community is much better, about the same, somewhat worse, or much worse than it was five years ago?

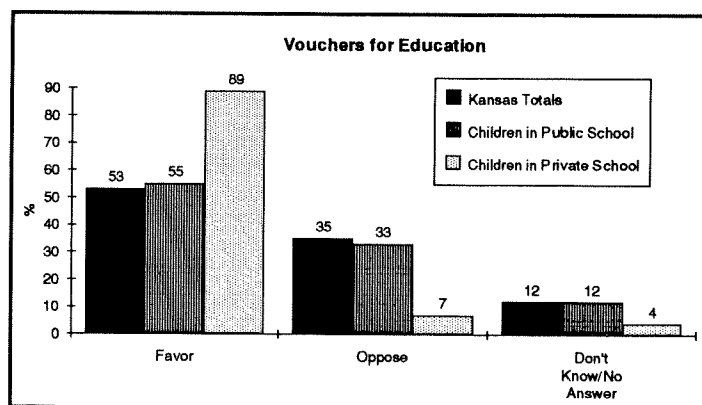


Vouchers for Education

More than one-half of the respondents favored an educational voucher system in Kansas. Not surprisingly, parents whose children attend private schools overwhelmingly support a voucher system. The question:

Several states are now implementing experimental programs which allow a certain amount of the state money for each child's education. The parents can then send the child to any public, parochial or private school they choose. This is often called the voucher system. Would you favor or oppose the adoption of a voucher system in the state of Kansas?

Respondents in seven of the nine regions held similar views regarding the implementation of a voucher system in Kansas. However, Kansans in Sedgwick and Wyandotte/Johnson regions, strongly favored a voucher system with a strong majority of nearly 63 percent.



	Favor %	Oppose %	Don't Know/No Answer %
Kansas Totals	53	35	12
Area of Residence			
Northwest	43	43	14
Southwest	39	46	15
North Central	48	36	16
South Central	52	35	13
Sedgwick County	65	25	10
Northeast	48	36	16
Wyandotte/Johnson Counties	60	32	8
East Central	43	42	15
Southeast	55	38	7

Problems Facing Kansas Schools

The percentage of Kansans who believe crime and gangs are the biggest problems facing schools has tripled since 1991. In that year, crime didn't even make the 10 percent cut, garnering only 7 percent of the responses.

In 1993, however, 24 percent of the respondents believed crime was a big problem. In contrast, only 13 percent of respondents nationally believed the same thing. Still, in 1993, respondents consider lack of discipline the number one problem.

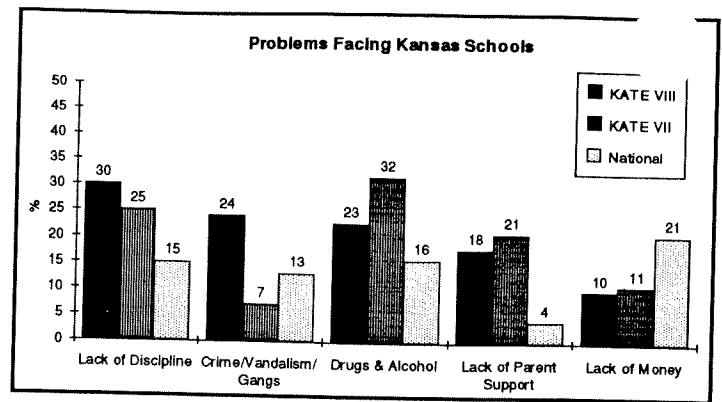
In KATE surveys, school problems are ranked according to respondents' answers to the following question:

What do you think are the biggest problems that the public schools in your community have to deal with today?

Because this question is open-ended, categories will not total 100 percent.

In all, 14 possible responses ranging from racism to school buildings being in bad condition were mentioned by 5 percent or fewer respondents.

	Kansas Totals %	No Children in School %	Public School Parents %	Private School Parents %
Lack of discipline	30	30	27	37
Crime/vandalism/ gangs	24	27	21	30
Drugs/alcohol	23	24	20	26
Lack of parent interest	18	16	24	19
Lack of money	10	8	14	0
Have students who don't care/don't want to be there	6	6	7	4
Don't teach basics anymore	5	5	5	11
Overcrowding	4	3	7	4
Lack of teacher interest	4	3	6	4



Increase of Violence

More than one-half of those polled believe that violence has increased in public schools. Another 35 percent think violence is about the same. Only 4 percent believe violence has decreased.

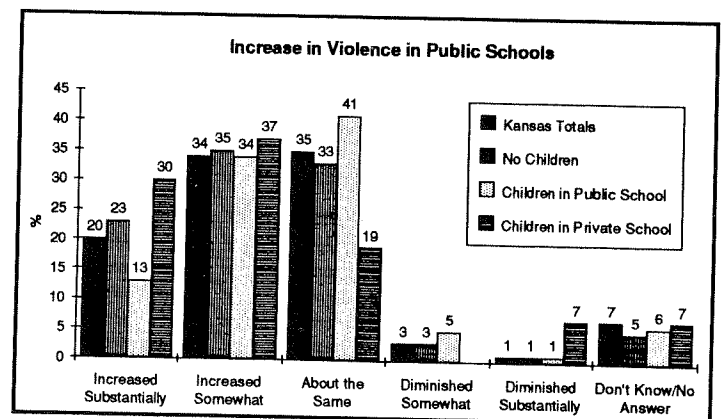
Parents were more positive in their assessments than were respondents without children. Only 13 percent of parents with children in public schools thought violence had increased substantially, versus 23 percent of non-parents. Of the parents, those whose children attend public schools were much more positive than parents whose children attend private schools. The question:

In your opinion has violence in your local public schools increased substantially, increased somewhat, remained about the same, diminished somewhat, or substantially diminished? If the answer is "increased substantially" or "increased somewhat," what do you feel caused this increase in violence in your public schools?

Because the second part of the question is open-ended, its totals will not equal 100 percent.

According to those respondents who believe violence in schools has increased, the number one reason given for the increase is failure of parents to supervise children.

In addition, parents whose children attended public or private schools believed that gang influence and an increase in violence in the country were contributing factors.



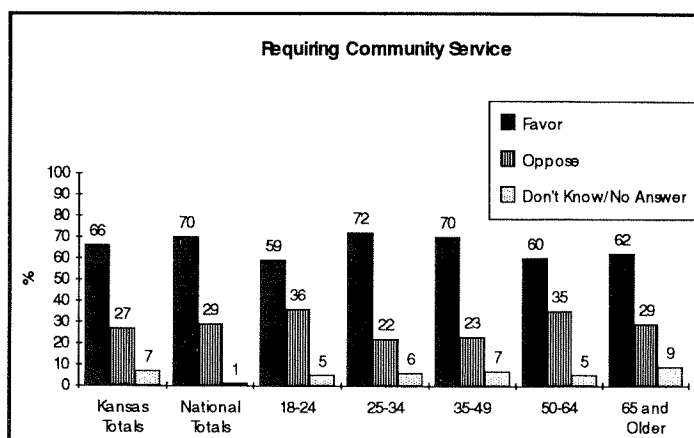
	Kansas Totals %	No Children in School %	Children in School Public & Private %
Failure of parents to supervise their children	42	43	39
Gang influence	13	13	13
General increase in violence in the country	10	8	13
Drugs/alcohol	8	10	6
Availability of firearms	6	6	5
Failure of the schools to deal effectively with violence	6	9	5

Requiring Community Service

Two-thirds of the people surveyed approve of community service as a requirement for graduation. This was, however, slightly lower than the national figure of 70 percent approval. The question:

Would you favor or oppose a requirement that all students in the local public schools perform some kind of community service in order to graduate?

Kansans age 25 to 49 were even more in favor of a community service requirement than was the sample as a whole. This group, commonly called baby boomers, came of age believing in the Peace Corps and other forms of community service.

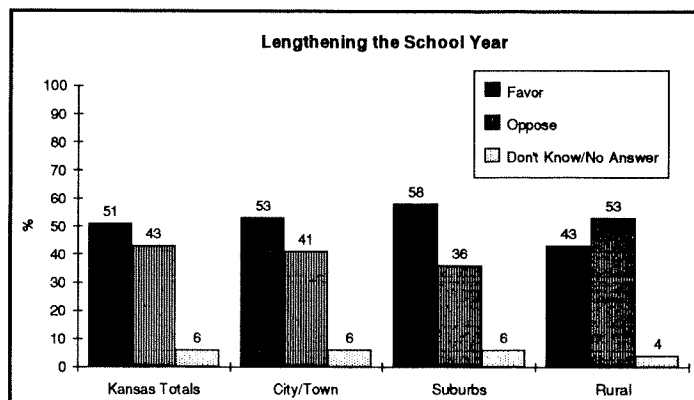


Ten-Month School Year

Kansans' opinions of a 10-month school year have not changed substantially since 1991. In 1991, 51 percent favored a 10-month school year versus 41 percent opposed while in 1993, 51 percent favored and 43 percent opposed a 10-month school year. The question:

In some nations, students attend school as many as 240 days a year as compared to about 180 days in the United States. How do you feel about extending the public school year in your school district by 30 days, making the school year about 210 days or 10 months? Do you favor or oppose this idea?

This question was rephrased in the 1993 national poll, but 52 percent still favored increasing the amount of time students spend in school. Increasing the number of school days (47 percent) or the number of hours in the school day (35 percent) were the two most popular alternatives nationally.



	Favor %	Oppose %	Don't Know/ No Answer %
Kansas Totals	51	43	6

How To Expand the School Year

If the school year were increased to 210 days, more than one-half of the respondents would prefer a 10-month school year with a summer vacation -- perhaps because they are used to an extended vacation at the completion of the school year. Only 37 percent said they would favor a four-part school year. The question:

Let's assume that the school year is increased from 180 to 210 days. Which would you prefer: a ten-month school year with a summer vacation or a school year divided into four parts separated by three four-week breaks?

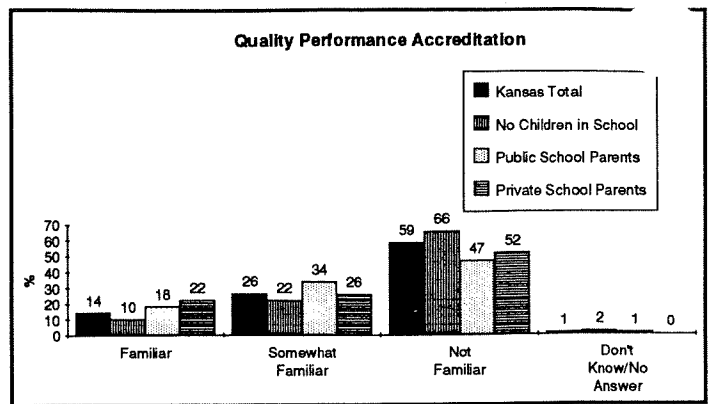
significant that nearly 40 percent of respondents embraced a concept relatively unheard of in Kansas. In fact, the Northeast and Wyandotte/Johnson counties regions preferred the four-part school year over a 10-month school year. These regions include the Topeka, Kansas City and Shawnee Mission school systems.

	Ten-month School Year %	Four-part School Year %	Don't Know/ No Answer %
Kansas Totals	55	37	8
Area of residence			
Northwest	63	31	6
Southwest	66	27	7
North Central	61	32	7
South Central	66	26	8
Sedgwick County	54	38	8
Northeast	44	45	11
Wyandotte/Johnson Counties	41	52	6
East Central	55	37	8
Southeast	58	34	8

Quality Performance Accreditation

Nearly 60 percent of those surveyed said they were not familiar with Quality Performance Accreditation, a system of accrediting Kansas elementary and secondary schools. Only 14 percent indicated they were familiar with the program, with 26 percent somewhat familiar. Although parents of schoolchildren were more likely to know about QPA, nearly one-half of parents were not familiar. The question:

Q.P.A. which stands for Quality Performance Accreditation is a new system for accrediting the elementary and secondary schools in the State of Kansas. This accreditation program promotes, in part, the improvement of school and student performance through attention to student academic performance, community involvement in the schools, expectations for student learning and the school climate for learning. Would you say that you are **familiar, somewhat familiar or not familiar** with this new system of accrediting our schools in Kansas.



School Financing Legislation

More than one-half of the respondents favor the new school financing method that provides similar funding for all districts. This result is somewhat surprising considering that counties in the southwest part of the state threatened secession over the matter and larger school districts tested the legality in the state courts.

Indeed, only in Wyandotte and Johnson counties did more respondents oppose the system than favored it. The question:

In 1992, Kansas lawmakers passed a new way to finance our public schools that provided for similar tax levies and expenditures per student in all unified schools in the State of Kansas. We would like to know how you feel about this new system of financing schools in our state. Are you **strongly in favor, somewhat in favor, somewhat opposed, or strongly opposed** to the new school finance system?

	Strongly Favor %	Somewhat Favor %	Somewhat Oppose %	Strongly Oppose %	Don't Know/ No Answer %
Kansas Totals	13	43	17	10	17
Area of residence					
Northwest	6	49	20	11	14
Southwest	17	41	12	14	16
North Central	13	46	21	7	13
South Central	13	46	19	6	16
Sedgwick	17	42	13	5	23
Northeast	11	47	18	5	19
Wyandotte/ Johnson Counties	9	31	19	22	19
East Central	11	47	11	10	21
Southeast	20	47	17	6	10

Evaluating Public Officials

The U.S. Congress received the lowest grade for improving the public schools of the five government officials or institutions listed. Only 14 percent of respondents gave Congress an A or B, with barely more than one-half giving a passing grade of A, B or C.

By contrast, local school boards received the highest grade with more than 75 percent of respondents giving a passing grade and 51 percent giving an A or B. The question:

Officials at all levels have publicly committed themselves to improvement of the public schools by the year 2000. At this point, what grade would you give to the following government officials for improving the public schools -- **A, B, C, D** or **Fail**?

As would be expected, answers to this question fell along political party lines.

	A %	B %	C %	D %	Fail %	Don't Know/ No Answer %
President Clinton						
Kansas Totals	6	20	31	14	15	14
U.S. Congress						
Kansas Totals	2	12	37	23	16	10
Governor Finney						
Kansas Totals	3	19	35	17	15	11
Kansas Legislature						
Kansas Totals	2	23	39	15	8	13
Occupation						
Business and Professional	2	24	38	16	9	11
Homemaker	2	19	42	12	6	19
Skilled Labor	2	17	41	19	9	12
Unskilled labor	0	21	21	16	5	37
Clerical/Sales	2	17	57	6	8	10
Farming	0	19	50	23	8	0
Retired	4	29	35	14	4	14
Student	0	31	44	6	11	8
Unemployed	5	16	42	21	0	16

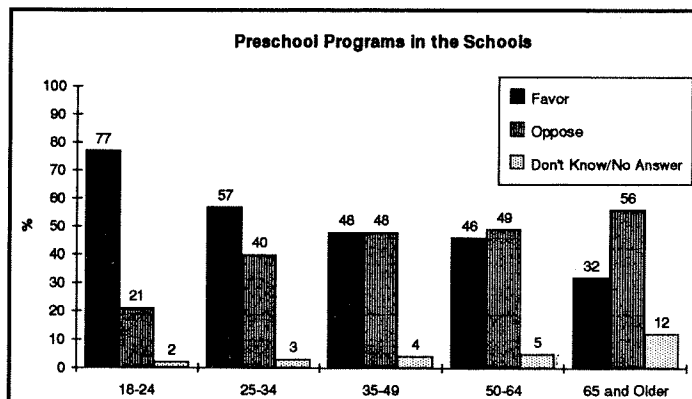
	A %	B %	C %	D %	Fail %	Don't Know/ No Answer %
Local Board of Education						
Kansas Totals	11	40	26	10	6	7
Occupation						
Business and Professional	10	41	28	9	7	5
Homemaker	12	39	17	16	4	12
Skilled Labor	12	32	34	12	6	4
Unskilled labor	16	32	11	26	5	10
Clerical/Sales	6	35	39	6	6	8
Farming	4	54	31	4	4	3
Retired	13	47	18	8	3	11
Student	8	67	17	3	3	2
Unemployed	11	21	32	5	11	20

Preschool Programs in the Schools

Nationally, more people favor preschool programs in the public schools than oppose them. In Kansas, those who favored the idea gained a majority by one percent -- 48 percent to 47 percent. This was, however, a change from 1991 when only 45 percent favored preschool programs and 48 percent opposed. The question:

It has been proposed that the public schools make preschool programs available to three and four-year-olds whose parents desire such programs. These programs would be supported by taxes. Would you favor or oppose preschool programs?

Parents, understandably, were more likely to favor the proposal than those without children. As in 1991, respondents age 18-24 overwhelmingly supported the idea with 77 percent; those 25-34 were less enthusiastic, but still supported the proposal with 57 percent.



Reducing Teenage Violence

Whereas Kansans overwhelmingly support action by policymakers that would (1) restrict the possession of handguns by those under eighteen (93 percent), (2) treat 16-year-olds and above as adults in the court systems (77 percent), and (3) hold parents responsible in part for criminal actions of their children under age eighteen (73.5 percent), they strongly rejected the transfer of the state youth center from the jurisdiction of Social and Rehabilitation Services to the state prison system (28 percent).

A majority of Kansans also supported actions that would result in a curfew for all young people under age eighteen (68 percent), and would place more law enforcement officers in communities throughout the state (60.7 percent). Kansans were divided on whether more security guards should be placed in schools, and a slight majority of Kansans favored placing metal detectors in community schools. The question:

A number of actions have been used around the nation in an attempt to reduce teenage violence. I will read a list of some of these actions. As I read each, please indicate whether you would support this action or not.

	Support %	Would Not Support %	Don't Know/ No Answer %
1. To treat those 16-year-olds and above as adults in our courts.	77	15	8
2. To restrict the possession of handguns by those under eighteen.	93	5	2
3. To transfer control of the state youth centers from Social and Rehabilitation Services to the state prison system.	28	53	19
4. To hold parents responsible in part for criminal actions of their children under age eighteen.	74	20	6
5. To establish a curfew for all young people under age eighteen.	68	27	5
6. To hire more law enforcement officers for your community.	61	33	6
7. To place security guards in your schools.	48	44	8
8. To have metal detectors at each of the schools in your community.	57	38	5

As might have been expected, those Kansans residing in cities or areas adjacent to large cities generally supported stringent measures, whether it be action to restrict the possession of handguns or to hire more law enforcement officers. Females also were more supportive than males of specific actions to address violence. Attitudes of those in specific age groups on a specific course of action were similar; however, those 50 years of age or older were slightly more in favor of a definite course of action to curb teenage violence.

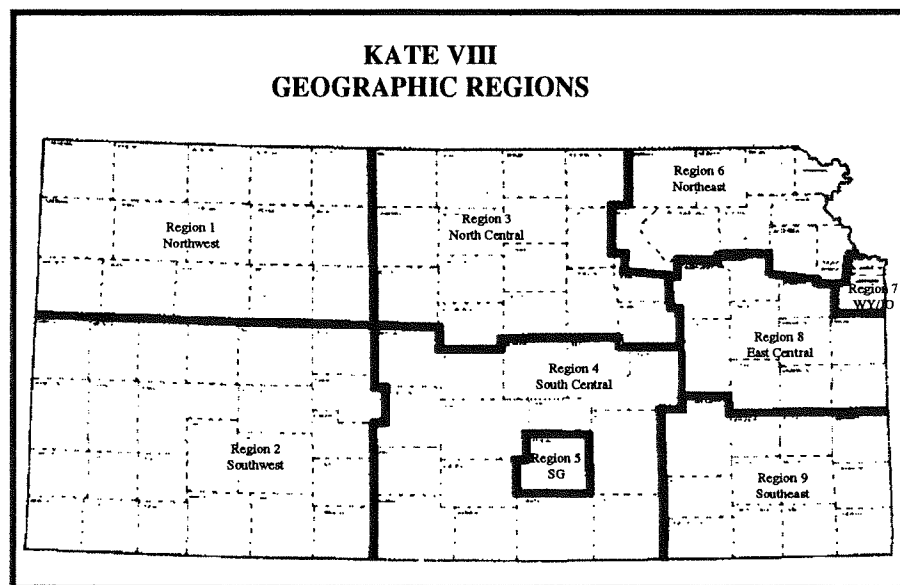
As noted earlier, a course of action that would restrict the possession of handguns by those under eighteen was overwhelmingly supported by Kansans (93 percent). All sub-groups based on age, income, occupation, etc., strongly backed such a course of action. However, diminished support, though still a view held by the majority could be found by those that indicated farming as their occupation (73.1 percent). Also, more support to restrict the possession of handguns could be found among respondents residing in Wyandotte/Johnson, Sedgwick, and the Northeast regions of the state of Kansas.

Restrict Handguns by Those Under Eighteen by Region

Region	Support %	Would Not Support %	Don't Know/ No Answer %
Northwest	91	6	3
Southwest	95	5	0
North Central	86	11	3
South Central	90	9	1
Sedgwick	97	3	0
Northeast	97	0	3
Wyandotte/Johnson Counties	99	1	0
East Central	93	5	2
Southeast	95	5	0

KATE VIII Composition of the Sample

Sex	%	Home Ownership	%	Income	%
Men	47.3	Owned/Buying	76.8	Less than 15,000	12.3
Women	52.7	Renting	22.6	15,000-25,000	17.4
		No Answer	.6	25,000-35,000	22.6
				Over 35,000	40.6
Respondents with-	%	Occupation	%	No Answer	7.1
Children in School	37.1	Business & Professional	32.8		
No Children in School	62.9	Homemaker	11.2	Area of Residence	%
		Skilled Labor	15.5	Northwest	4.0
Education	%	Unskilled Labor	2.2	Southwest	6.7
Non High School Graduates	6.3	Clerical/Sales	7.4	North Central	12.8
High School Graduates	28.5	Farming	3.0	South Central	14.3
College (No Degree)	34.2	Retired	19.1	Sedgwick	15.9
College (Degree)	30.5	Student	4.1	Northeast	7.1
No Answer	.5	Unemployed	2.2	Wyandotte/Johnson Co.	18.0
		Undesignated/No Answer	2.5	East Central	13.0
AGE	%			Southeast	7.3
18-24	7.0			Don't Know/No Answer	.9
25-34	19.5				
35-49	34.7				
50-64	17.8				
65-Over	20.9				
No Answer	.1				
Political Affiliation	%				
Republican	42.5				
Democrat	26.8				
Independent	20.6				
Other	5.0				
No Answer	5.1				
Community Size	%				
City or Town	67.8				
Suburban Area	11.8				
Rural	20.4				





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