

Approved: 3/21/94  
Date

## MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Chairperson Dave Kerr at 1:00 p.m. on March 14, 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:

Dr. Tom Hawk, Manhattan USD 383  
Dave Maranville, Director, Flint Hills Job Corps Center  
Dr. Mary Devin, Geary County Schools, USD 475  
Mark Tallman, Kansas Association of School Boards  
Dale Dennis, State Department of Education  
Representative Bob Tomlinson  
Susan Chase, Kansas National Education Association

Others attending: See attached list

The Committee was provided with a copy of a memorandum from the Kansas State Board of Education regarding special education paraprofessionals (Attachment No. 1); a copy of a letter addressed to Senator Frahm from Leanne Chapman, McLouth, describing the positive effects of inclusion for her son (Attachment No. 2); a copy of a letter with attached testimony regarding inclusion addressed to Connie Hubbell from Josie Torrez, Families Together, Inc. provided by Senator Frahm (Attachment No. 3); a letter from Laura Clark, Manhattan-Ogden Schools regarding the escalation in special education expenditures (Attachment No. 4), and a letter from Keith Ogburn, Reno County Education Cooperative No. 610, expressing concerns about the policy on least restrictive environment adopted by the State Board of Education (Attachment No. 5).

The Committee discussed the Kansas State Board of Education Policy on Least Restrictive Environment for Students with Disabilities (attached to minutes of March 8, 1994). Some of the issues mentioned were: the role of the IEP team, whether it is expected that placement in a regular classroom must be attempted initially or is considered one of several available options, the wide range of levels and types of disabilities, whether more weight is given to "least restrictive" or "appropriateness", etc. Chairman Kerr announced that he will appoint a subcommittee to further study the policy adopted by the State Board and make recommendations as to whether the Committee should endorse the policy or propose a resolution urging that changes be made in the policy.

### SB 784 - School districts, educational services, juvenile detention facilities, Flint Hills job corps center

Staff explained that the bill provides for state grants to reimburse school districts for educational services that they provide for pupils who reside at the Flint Hills Job Corps Center or are confined in juvenile detention facilities. Under the bill, these students could not be counted as pupils for purposes of the school finance law. It was noted that a similar bill was considered in the House of Representatives which applied only to juvenile detention facilities and utilized a funding factor of 2.0, which is the method used to fund educational services at Judge James F. Riddel Boys Ranch. The fiscal note is estimated to be \$1,872,000 in FY 95 for the juvenile detention facilities and an additional \$148,580 for the Flint Hills Job Corps Center. Subtracting the amounts for current methods of financing, leaves a net additional cost from the State General Fund of \$1,012,580. Staff noted that the cost per pupil for students in juvenile detention facilities is estimated to be \$7,200. It is projected that costs will increase about 5 percent a year. Dale Dennis (State Department of Education) advised that pupils in juvenile detention facilities are counted on September 20, as with any other educational facility under the school finance law.

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, Room 123-S Statehouse, at 1:00 p.m. on March 14, 1994.

Dr. Tom Hawk, Manhattan USD 383, testified in support of SB 784 (Attachment No. 6). He noted that students at the Job Corps come from all over the state. There are 235 students presently enrolled at the Job Corps, and it is anticipated that 120-150 students would choose to take advantage of an opportunity to receive a high school diploma. Dr. Hawk advised that the students presently are able to take GED classes and the test, but he said that many businesses and employers, including the military service, do not accept or hire individuals unless they have a high school diploma. Dr. Hawk explained that they propose to deliver the classes through computer assisted instruction with about 20 students per class. He stressed that the district is eager to be of assistance in providing the instruction but are very concerned about the costs.

Dave Maranville, Director, Flint Hills Job Corps Center, testified in favor of the bill. He explained that the two-year old center is a residential training institution of the U. S. Department of Labor for 16-24 year old high risk youth. It is a self-pacing individualized training program, which is competency based and task oriented. The program is open entry and open exit. Mr. Maranville said the program does not include high school classes and that it is more difficult to secure employment for graduates of the program who do not hold a high school diploma. He advised that the federal government provides no funding for a high school program as a part of the Job Corps Center. He said that the Center receives no GED funding either but uses a portion of its budget to pay for the GED program. He added that it is his understanding that an individual can be co-enrolled in both programs and it is possible to receive high school credit for passing certain portions of the GED program. Mr. Maranville said that the high school offers classes at the Center site.

Senator Oleen clarified that, unlike the traditional GED program prohibition against co-enrollment, the GED program at the Job Corps is exempt from that restriction. She noted that, with a few deliberate exceptions, all students at the Center are Kansans.

Dr. Mary Devin, Geary County Schools, USD 475, testified in favor of SB 784 (Attachment No. 7). She said the 16-bed North Central Kansas Regional Juvenile Detention Facility, located within USD 475, opened January 1 and serves 11 counties. They are averaging 14 students per day and the average stay is three weeks. Dr. Devin said that 40-60 percent of the residents are from outside Geary County. She stated that this is not a normal school operation and its costs exceed that of a regular school program. Dr. Devin said that there is no state money for this year, and they are working with the county to fund the current costs of the educational services.

It was noted that the home counties of residents pay a day detention charge for each child.

Mark Tallman, Kansas Association of School Boards, testified in support of the bill (Attachment No. 8). He urged that the State Board of Education and the Legislature closely monitor expenditures under this bill, if it is enacted.

Dale Dennis, State Department of Education, presented testimony in support of the bill on behalf of Connie Hubbell, State Board of Education (Attachment No. 9). Mr. Dennis said that the State Board believes it has resolved the certification problem for educational services by directing that the local board determine the kind of certification needed for the educational programs in juvenile detention facilities, but the Board understands that the financing of those services needs to be addressed. He noted that, in at least one instance, the resident was from out of state. Mr. Dennis said the State Board prefers the 2.0 funding mechanism but believes SB 784 is an improvement over the current situation. He advised that there is a constant roll-over of residents but most facilities are constantly full or nearly full. Mr. Dennis was asked why the State Board prefers the 2.0 funding formula, and he said that this mechanism is consistent with the school finance law and several of the districts involved have expressed a preference for it, as well as the Council of Superintendents.

### HB 2553 - School districts, extraordinary school programs

Staff explained that the bill would permit school districts to charge fees for extraordinary school programs, which are programs operated before or after regular school hours during the regular school term for the purposes of: providing pupils with additional time to achieve learner exit or improvement plan outcomes, giving pupils remedial instruction or independent study assistance, affording pupils an opportunity to strengthen or attain mastery of basic or higher order thinking skills and conducting special projects and activities designed to enrich and enhance the educational experience of pupils. Fees cannot exceed the costs of the program and cannot be charged to any pupil who is required to attend a course. The extraordinary school program fund is one of the categorical funds of districts, which allows districts to transfer money from their general fund to this new fund.

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, Room 123-S Statehouse, at 1:00 p.m. on March 14, 1994.

Representative Bob Tomlinson testified in support of HB 2553 and provided a proposed amendment to the bill (Attachment No. 10). He mentioned instances where a student might wish to take advantage of an extraordinary program to continue a vocational, extra-curricular or job opportunity; to complete additional credits; to graduate on time; for remediation, etc. He stated that HB 2553 will increase the chance of at risk students graduating from high school. Representative Tomlinson noted that some of the opposition to the bill in the House of Representatives related to concerns about the potential for discrimination against students who cannot afford to pay for the programs. He explained that the amendment he provided would allow for waiver of fees for students who qualify for free and reduced lunches. He said that if the amendment increases the support for the bill, he is comfortable with it. In response to questions, Representative Tomlinson said his district has had 17 part-time teachers who have served a maximum of 500 students per semester, and, at present, serve less than half that number. He said the classes offered are classes which are required for high school graduation and noted that they have been able to provide some extra counseling and guidance in these classes in his district. Representative Tomlinson said that, in the Shawnee Mission school district, the program is housed in the alternative school facility and draws from all the schools in the district as well as from some private schools.

Mark Tallman, Kansas Association of School Boards, also presented testimony in favor of the bill (Attachment No. 11) and advised that he was also representing Shawnee Mission USD 512 and Blue Valley USD 229. He said that there is a need to provide some additional opportunities for time beyond the regular school hours. He said the fee concept in the bill is consistent with the summer school program and expressed support for the amendment presented by Representative Tomlinson.

Susan Chase, Kansas National Education Association, testified in favor of the bill (Attachment No. 12). She said they believe such programs should be part of the regular school programs but recognize that the costs of such programs necessitate an alternative method of funding. She urged that the use of the funds be closely scrutinized to prevent any abuse of overfunding extraordinary programs with general fund monies.

Senator Tiahrt made a motion to approve the minutes of March 9 and 10, 1994. Senator Corbin seconded the motion, and the motion carried.

The meeting was adjourned at 2:30 p.m. The next meeting is scheduled for March 15, 1994.

SENATE EDUCATION COMMITTEETIME: 1:00PLACE: 123-SDATE: 3/14/94GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Conne Hunsell	Topeka	SZB & L
Sam Alby	Topeka	SRS
Suzanne Southard	Topeka	Corp. for Change
Bernard A. Koch	Wichita	Wichita Area Chamber of Commerce
Dianna Hyatt	Wichita	USD 259
Ann Burnett	Topeka	USD 501
Kathy Sexton	"	Division of Budget
Merle Hee	"	KACC
Jacqueline Oakes	"	SQE
Susan Chase	Topeka	KNEA
De Bahr	"	4th Enrollment USD 3
Nertise Apt	Topeka	USA
Leslie Anderson	Topeka	USA/KS
Mark Tallman	Topeka	KAS
Tom Hawk	Manhattan	USD #323
DAVID MARRAVILIZ	"	Pl. St H. H. S. J. S. Corp S
Mary Devin	Junction City	USD 475
Josie Torrez	Topeka	Families Together Inc.
John Pope	Haworth	U.S.D. #415
Raven Kocher	"	"



## Agency Memorandum



TO: Dale Dennis, Deputy Commissioner

FROM: Carol Dermeyer, Coordinator  
Early Childhood Education

SUBJECT: Senate Education Committee meeting: Special Education  
Paraprofessional

DATE: March 10, 1994

In the Senate Education Committee meeting on March 9, 1994, I believe the presenter stated that a special education paraprofessional working with special education children in the regular education classroom could only spend one-third of their time in direct service with a child. According to state special education regulations for paraprofessionals, K.A.R. 91-12-61, there is no limitation stated as to the amount of time a paraprofessional can spend providing any kind of direct service. There are often times when a student may require the assistance of a paraprofessional on a full time basis to meet the goals and objectives of their IEPs, and this is permissible within state regulations. The model cited by the conferee may have been confused with the "consulting teacher plan", K.A.R 91-12-22(h) which states that "no more than one third of the consulting teachers time shall be devoted to direct instruction of students".



- treatment, but shall be responsible for the provision of medical services for diagnostic or evaluation purposes which are necessary to the educational planning and programming for each exceptional child.
- (c) Local education agencies shall be responsible for the provision of school health services, including clean intermittent catheterization, which allow any child to be maintained in the least restrictive environment.
  - (d) School districts shall not be responsible for psychological, psychiatric, or social services required to treat generalized mental health problems. Psychotherapy shall be considered medical in nature, and its provision shall not be a responsibility of the public schools.
  - (e) The following related services shall be treated as a special education service if any child's individualized education program indicates that that child cannot continue to function in regular education without the service or services:
    - (1) Occupational therapy, physical therapy, paraprofessionals, or transportation when needed to maintain students in regular education; and
    - (2) interpreters for any deaf child who, without this service, would have to be educated in a more restrictive environment.
  - (f) This regulation shall take effect July 1, 1990. *(Authorized by and implementing K.S.A. 72-963; effective May 1, 1983; amended May 1, 1984; amended May 1, 1986; amended July 1, 1990.)*

#### **91-12-61. Paraprofessionals in special education.**

- (a) No special education paraprofessional shall:
  - (1) Be solely responsible for a special education instructional or related service;
  - (2) be responsible for selecting or administering formal diagnostic or psychological instruments or for interpreting the results of those instruments;
  - (3) be responsible for selecting, programming or prescribing educational activities or materials for the students without the supervision and guidance of the teacher;
- (b) Assignment.
  - (1) A paraprofessional may be assigned to assist in a general education program when one or more students with exceptionalities are included in that program, provided that the paraprofessional is assigned to and supervised by a special teacher who meets the requirements in K.A.R. 91-12-22 (uu) (1) through (4).
  - (2) No more than three paraprofessionals, whether full time or part time, shall be assigned to a single professional. No paraprofessional shall be assigned to more than two professionals.
  - (3) Except for paraprofessionals providing supervised occupational, physical or speech therapy, any paraprofessional assigned to a professional may work with an exceptional child when the professional is not in the building only if the professional works directly with both that child and the paraprofessional at least twice each week. The paraprofessional providing supervised occupational or physical therapy must receive direct supervision by a professional occupational or physical therapist twice each month. If the professional is not present each day, the paraprofessional shall be assigned to, and supervised by, a designated principal or teacher.
  - (4) Each paraprofessional who is assigned to a learning work site that is off

- school property shall be assigned to and supervised by a special teacher.
- (A) The special teacher shall work with the paraprofessional and the student a minimum of twice a week.
  - (B) A designated person at the off-school property location shall monitor the paraprofessional when the special teacher is not present.
- (c) Approval of paraprofessional programs.
- (1) Inservice program standards. Each local education agency shall file with the department of education at the beginning of each school year, a plan for inservice training for special education instructional paraprofessionals. At the conclusion of each school year, a report shall be filed that verifies and describes the training that occurred during the school year.
  - (2) Each inservice training program shall include:
    - (A) An orientation session at the beginning of each school year or when a paraprofessional is employed during the school year; and
    - (B) Inservice training specifically related to the area and type of program in which the special education instructional paraprofessional is employed. Each special education instructional paraprofessional shall receive no less than 20 clock hours of inservice training per school year.
- (d) Each instructional paraprofessional shall possess a paraprofessional I, II, or III permit.
- (1) The requirements for a Paraprofessional I permit shall be participation in at least four inservice sessions totaling at least 20 clock hours of inservice training per school year. The local education agency may choose to substitute all or part of the above requirements with an equivalent amount of appropriate college coursework taken during the school year. Each paraprofessional, without prior training and experience as an instructional paraprofessional, shall be approved and shall receive a paraprofessional I permit after participation in 20 clock hours of inservice training.
  - (2) The requirements for a paraprofessional II permit shall be:
    - (A) Two years experience as an instructional paraprofessional;
    - (B) (i) completion of 30 semester college hours of approved academic work;
    - (ii) an equivalent 450 clock hours of approved inservice training; or
    - (iii) a combination of (i or ii) totaling 450 clock hours; and
    - (C) participation in at least four inservice sessions totaling at least 20 clock hours of inservice training per school year.
  - (3) The requirements for a paraprofessional III permit shall be:
    - (A) Three years experience as an instructional paraprofessional;
    - (B) (i) completion of 60 semester college hours of approved academic work;
    - (ii) an associate degree from an approved training program for instructional paraprofessionals;
    - (iii) a certificate from an approved training program for instructional paraprofessionals from a vocational technical school;
    - (iv) an equivalent 900 clock hours of approved inservice training; or (v) a combination of (i-iv) totaling 900 clock hours; and
    - (C) participation in at least four inservice sessions totaling at least 20 clock hours of inservice training per school year. *(Authorized by and implementing K.S.A. 72-963; effective May 1, 1983; amended May 1, 1985; amended May 1, 1986; amended July 1, 1990; amended June 29, 1992; amended June 1, 1993.)*



## ARTICLE 12 OF KANSAS ADMINISTRATIVE REGULATIONS

### Effective June 1, 1993

#### 91-12-22. Definitions.

- (a) "Adapted physical education" means a diversified program of developmental activities, games, sports, and rhythms suited to the interests, capabilities and limitations of children with disabilities who may not successfully engage in an unrestricted regular physical education program.
- (b) "Assistive technology device" means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities, but shall not include individually prescribed medical devices, such as eye glasses and hearing aids.
- (c) "Assistive technology service" means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device. Such term includes:
- (1) evaluating the needs of an individual with a disability, including a functional evaluation of the individual in the individual's customary environment;
  - (2) purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by individuals with disabilities;
  - (3) selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
  - (4) coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
  - (5) providing training or technical assistance for an individual with disabilities, or, where appropriate, the family of an individual with disabilities; and
  - (6) providing training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities.
- (d) "Autism" means a severe and pervasive lifelong developmental disorder manifesting itself before 30 months of age. Children with autism exhibit chronic impairments in the ability to learn, communicate, and interact with others in their environment.
- (e) "Behavior disorder" means a condition with one or more behavioral characteristics that are:
- (1) exhibited at either a much higher or much lower rate than is appropriate for one's age;
  - (2) documented as occurring over an extended period of time in different environmental settings within the school, and home or community; and
  - (3) interfering consistently with the student's educational performance. This interference with educational performance shall not be a result of intellectual, sensory, cultural or health factors that have not received appropriate attention.
- (f) "Categorical service unit plan" means a plan for delivering special education services in the same educational program to exceptional children within one of the categorical areas of exceptionality.
- (g) "Center-based" means an organized early childhood education experience for a group of children at a central location.
- (h) "Consulting teacher plan" means a plan for delivering special education services in which a special teacher facilitates the maintenance of exceptional children in regular education. The plan provides regular education teachers with assistance in educational diagnosis, prescriptive decisions and educational interventions. No more than one-third of the consulting teacher's time shall be devoted to direct instruction of students.
- (i) "Deaf-blind" means the combination of auditory and visual impairments which causes such severe communication and other de-



February 7, 1994  
P. O. Box 307  
McLouth, KS 66054

Sen. Sheila Frahm  
Room # 126S  
State Capital  
Topeka, KS 66612

Dear Sen. Frahm,

I'm writing concerning Special Education Funding to be to 90% reimbursement to local school districts this year and inclusion for special education children.

I'm a parent of a behavior disorder (ADHD) 14 year old son named Dallas Chapman. He has attended McLouth Public Schools (USD 342) since kindergarten, he's now an eight-grader. He was identified when he was 8 years old and placed in a BD classroom, then called "main-streaming". He accepted this and benefited when he was younger, but was so happy when "inclusion" became effective in our school district this year. He was "included" and not pulled from classes for "specials" as had been in the past years. It gave him his independence, with the same support from teachers and paraprofessionals directly in the classroom. He has the opportunity to stay with his peers and the chance to be looked at and be treated equal.

I attended a local school board meeting about 3 years ago and the attitude of most members or parents seeing local money spent is "if we didn't have to spend money on THOSE kids" referring to special education children in their districts, "we'd have more to spend for the regular children." It made me feel that we shouldn't live in our community or better yet exist! What most parents take for granted that it only takes a high-fever, seizure, or accident that could cause a head injury or brain damage to their child and their lives and attitudes would change forever. Natural instinct is to protect and provide what you can to make your child's life as happy and fulfilling as possible.

I believe that all children with disabilities have the right and should have the chance to be with their peers. The younger the child the more beneficial inclusion will be for both special and "non" special-education children to learn to accept people "as they are."

As a mother or grandmother please open your heart to parents and listen to their wishes for our "special-needs children". Please don't let Kansas Education go back in the past, but move forward in a progressive future. Thank you for your time and listening to me.

Sincerely,



Leanne Chapman

Sen. Ed.  
3/14/94  
Attachment 2

November 23, 1993

Connie Hubbell  
2028 Wildwood Lane  
Topeka, Kansas 66611

Dear Connie:

At the October 13, 1993 State Board of Education Meeting in Topeka, I was in attendance and spoke to the Board Members that were present. You were not there and for that reason, I am attaching a copy of my presentation.

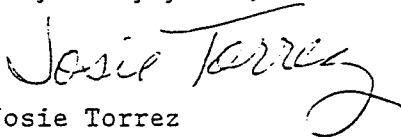
It is of my opinion that an inclusion policy is needed in our schools. This policy would define the principles of Least Restrictive Environment and the philosophy of including students with disabilities with other students in their neighborhood schools. I believe that students with disabilities are entitled to be included with other students to the maximum extent possible. Since you are my School Board Member, I feel the need to let you know how I feel on this important issue.

It is my understanding that a need for an inclusion policy will be discussed at the next State Board Meeting. Please read over my presentation attached and advise me of the time, date and location of the December School Board Meeting so I may be present.

As you know, I work at Families Together, Inc. We have a policy on Supported Inclusive Education which I am attaching. This, also, may assist you in developing an inclusion policy.

Thank you for being my School Board Member and for all the hard work you do for my children. I look forward to hearing from you in the near future.

Very truly yours,



Josie Torrez  
1832 S.W. Webster  
Topeka, Kansas 66604

232-8295 After 3:30 Monday thru Friday  
273-6343 8:30 to 2:00 Monday thru Friday

Sen. Ed.  
3/14/94  
Attachment 3

INCLUSION PRESENTATION TO  
STATE BOARD OF EDUCATION

Thank you for allowing me to speak to your board. My name is Josie Torrez and my husband and I reside in Topeka with our two sons, Chris, age 11 and Joey, age 7. Joey has a moderate speech/language disorder, low muscle tone and autistic tendencies. He is fully included in a second grade classroom at Randolph Elementary.

I work at Families Together, Inc. in Topeka, Kansas. We are the Parent Training and Information Center for Kansas. We are a federally funded non-profit organization that has been in existence for over ten years. We assist families in Kansas that have a child or youth with a disability. Parents from all across our State call our office for information, referrals and assistance in dealing with their children on a day to day basis. Many of these calls are from parents wanting an inclusive program for their children. As we speak to parents, we find that inclusion is needed and wanted for many children. We also have found that inclusion is working in many communities across the State. The staff of eleven are all parents of children with varying disabilities ranging from mild to quite severe. All of our children are fully included in regular education programs.

In order to have students with disabilities included in general education classroom settings, it requires the collaboration of many individuals facilitating the development of quality inclusive education programming. The schools in Kansas that are inclusive schools find it necessary and valuable to develop ways for collaboration to occur. Sharing of information and resources is vital to provide the support needed by staff, parents and students. Collaborative teaming is one way that many inclusive schools have achieved effective communication, decision making and problem solving. This type of program is more child-oriented instead of everyone coming with their own little agenda of what he needs and then trying to fit that child into the schedule. No one person can effectively respond to the diverse psychological and educational needs of all students for whom they are responsible. Collaborative teaming is designed to create a feeling among members of the team that they all are responsible for the learning of all of the students to whom they are assigned. Collaborative teams learn that they can best carry out their teaching responsibilities by pooling their diverse knowledge, skills and resources. Everyone must work together for collaborative teaming to work. It is teachers, principals, parents, paraprofessionals and others working together. It provides opportunities for these members of a school community to plan, solve problems, teach, and implement education plans. When this team works well, members have equal voices, support one another through success and conflict and share responsibilities of reaching the goals of the team.

We at Families Together, Inc. have a vision that all students with and without disabilities can learn side by side though they may have different educational goals. Parents of preschool and kindergarten students call our office when they begin to think of ways their children can be included and still receive the necessary services. These years afford many opportunities for children to learn and play together in natural environments. Since group activities are common to this age group and enable children to learn at their own pace and experience, they all grow educationally and socially.

Friendships are also important to each of us. Schools and neighborhoods are places where friendships begin and continue to grow throughout a child's school years. Many questions we hear are "How can my child go to school with his or her friends and brothers and sisters and still receive the education and services he or she needs?"

If children are included from the beginning, everyone will continue to see changes in our communities - changing expectations, attitudes and curriculum.

There are a lot of words going around that have meant inclusion in the past. I would like to go over these words and their meanings with you.

Mainstreaming - This is when students attend regular education



classes, but necessary planning and supports were not provided. This is like taking the student to the door without resources, supports or communication between the Special Education teacher and regular education teacher.

Integration - This is a program that maximizes the interactions between those with disabilities and those without but does not take place in the student's neighborhood school. This is providing supports to students in regular classes, but not full time or at their neighborhood school.

Inclusion - This is an inclusive program that maximizes the interactions between those with disabilities and those without and takes place in the student's neighborhood school. This is where the student would go if he didn't have a disability and build supports there.

Everyone should also understand that Special Education is not a place; it is supports and services brought to students through an IEP. This is what its all about and it's there! We just need to know how to use it. (See handout)

It is also important to provide the students and teachers with the information and all resources which they need. It is vital that schools across our State understand inclusion and are involved in the implementation of inclusive classrooms in order that ongoing success may be achieved.

All of our children want to be a functioning member of society. All parents have dreams and hopes for their children. Parents of children with disabilities are no exception to this. We want good socialization skills for our kids, which they can get in an inclusive setting with their typical peers. We all need to make schools where all kids belong. Every child and their families must feel that's where they belong. We all need a circle of trusting friends, as it forms a support system around the child to help him or her in adjusting. This also helps to solve problems, but each of these are true friends to each other. The students will grow up a part of the community due to inclusive education opportunities.

Teachers are at the fore front to this. It is very rewarding to them. Sure, many of them are apprehensive at first due to fear, but they get used to it and find there was really nothing to be afraid of. The other children in the classroom learn empathy and everyone gets comfortable. The other effects on typical children in the classroom are more acceptance of all people with disabilities, showing they that people with disabilities are more a part of our society and that "these kind of people" are more like "us kind of people". These are learning years for teachers, other students and the student with the disability. All of the students learn better social skills by sharing and discussing problems or incidents with others in the classroom. All students have different needs and speeds, but all children feel the same. Inclusive settings builds friendships that last. If everyone would realize that we are talking about kids, real people with different needs, all children are unique in their own way. Our children respond to normal behaviors.

Teachers need to know that supports are available to them. We need to make dreams of inclusion a reality for every parent and student that wants it. Every child has talents and gifts that they can share with other children. How's a kid supposed to learn without friends of which to turn? We all belong together and want a sense of belonging and together we can work it out. Our children need and want to be challenged like other students. The supports to the teacher must be quality supports, not the type that do all the work for the child.

Systems are set in their ways, but with vision, skills, incentives, resources and an action plan, change will occur, but all of these are essential. (See yellow sheet)

Everyone involved needs to share in a positive way. At the end of the school year, the team begins to plan for next school year, new teachers and/or new school.

**Manhattan - Ogden  
U.S.D. 383**



*Where all can learn*

March 7, 1994

Dr. Dan Yunk  
Superintendent of Schools  
Manhattan-Ogden Schools

Dear Dan,

The escalation in special education expenditures is very clear. These increased costs are tied to state and federal mandates which are enacted with no new funding provided to school districts. Examples of this include;

A. Mandated services for children ages 3-5 with disabilities. This went into effect in 1990 and significantly increased local expenditures.

B. Mandated services for infants and toddlers with disabilities. Although this is the responsibility of the local health departments most school districts are having to fund the programs through increases in categorical aid. This went into effect in 1991 and significantly increased costs.

C. Transition from school to employment and post-secondary education became mandated with the re-authorization of PL. 94-142 (IDEA) in 1992. This has significantly increased costs as most districts are required to hire a transition coordinator to meet mandated transition requirements.

D. Implementation of mental health reform and de-institutionalization. Many students who would previously been institutionalized at no cost to school districts are now in their home schools. These students are extremely costly with the institutions needing between \$40,000-\$75,000 per student, per year. No new funding has followed these students home. Schools are having to utilize precious resources to accommodate for these students.

✓ E. Implementation of inclusive education. Inclusion has proven to be a costly expenditure for school districts. Many new paraprofessionals have needed to be hired as students are placed in regular classrooms. Existing staff have all remained and have become more "consulting". Eventually, the number of paraprofessionals will be reduced but this will take time until regular classroom teachers are comfortable with disabled students and no longer need this additional support.

F. Breakdown in our society with more and more students meeting the criteria for special education programs. This is due to increases in domestic violence, an increase in drug and alcohol abuse, an increase in the amount of children living in poverty and an increase in the adolescent pregnancy rate. All of these phenomenon are happening in Riley County at an alarming rate.

**Special Services**

Robinson Education Center • 2031 Poyntz Ave. • Manhattan, KS 66502 • (913) 587-2000 Fax (913) 587-2006

*An Equal Opportunity Employer*

Sen. Ed.  
3/14/94  
Attachment 4

The cost of special education programs becomes more apparent when you break it down for individual students. The two students documented below are actually present in our school district and the services and costs are currently being incurred.

**Student A—Severely Emotionally Disturbed and Educable Mentally Handicapped.**

**Student requires;**

A. Individual bus with monitor everyday	\$10,000
B. One-on-One teacher	\$30,000
C. Assistive technology	\$5,000
D. Security system	\$500
E. Security guard(pro-rated)	\$2,000

Total cost \$47,500 per year

**Student B—Severely Multiply Disabled**

**Student requires;**

A. 1/5 of a teacher	\$7,000
B. Lift bus with monitor	\$10,000
C. Full time LPN	\$10,000
D. Physical therapy (1hour a week)	\$2,500
E. Occupational therapy (1hr./week)	\$2,000
F. Speech/Language therapy (2hr/week)	\$4,000
G. Assistive Technology	\$5,000
H. Vision specialist (2hr/month)	\$1,200
I. Hearing specialist (2hr/month)	\$1,300
J. Adaptive Physical Education (2hr/week)	\$2,200
K. Social Work & Psychologist	\$1,000 (approx)

Total cost \$46,200 per year

These are just two examples of expensive students. All of the services listed above are mandated and the district is required to pay them. USD #383 has many students who would fit similar profiles.

It is becoming increasingly difficult for the local school districts to increase the special education transfer out of general funds due to the freeze on per pupil spending. Consequently, as the legislature funds special education at lower and lower amounts the general fund transfer must increase to maintain the programs mandated by the federal government. Examples of this include the projected general fund transfer for this year with funding at approximately 70% and funding last year at approximately 90% of excess cost.

Total special education budget FY94	\$3,884,716.04
Total special education revenue FY94	\$2,407,160.00
Total general fund transfer FY94	\$1,477,556.04




Total special education budget FY93	\$3,369,957.00
Total special education revenue FY93	\$2,339,880.00
Total general fund transfer FY93	\$1,030,077.00

*\*Note \$229,000 of general fund monies were transferred into the FY94 special education budget for FICA. Prior to FY94 this FICA was payed out of the general fund.*

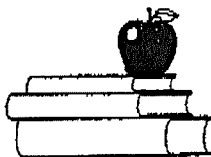
This will provide you with the information necessary to document the increasing special education costs and the resulting drain on the general fund and all school district students.

If I can provide you with further information please contact me.

Sincerely,



Laura Clark  
Director of Special Services  
Manhattan-Ogden Schools



**Reno County Education Cooperative No. 610**  
2500 East Thirtieth Street Hutchinson, Kansas 67502  
(316) 663-7178

March 14, 1994

Senator Dave Kerr  
State Capital, Room 120-S  
Topeka, KS 66612-1504

Dear Senator Kerr:

Thank you for your letter regarding your concerns about inclusion. I am pleased to learn that we share the same concerns.

The Kansas Legislature may be able to influence the State Board's inclusion policy by asking them to revise it appropriately. However, a revision may not produce the desired results. The Legislature can influence the rate of inclusion by changing the way special education is funded in Kansas. A formula that focuses on the number of exceptional children served rather than the number of special education personnel employed would be effective. Any such formula should be equitable and generate adequate state dollars to appropriately educate exceptional children in Kansas.

I have the following concerns about the policy adapted by the State Board of Education:

1. It goes beyond the "least restrictive" requirements of the Individuals with Disabilities Education Act (IDEA). IDEA gives the IEP team the power to determine what is an appropriate special education placement for a particular child. It does not require that the first placement be in a regular class with supplemental aids and services. The Policy implies that a child must fail in a regular class with supplemental aids and services before he/she can receive more intensive special education services in other environments.

Enclosed is a copy of the IDEA regulations regarding least restrictiveness. I have underlined some of the language to facilitate your review.

2. The statement that education in regular classes is the placement of choice for handicapped students. Some handicapped students need a different kind of curriculum than can be provided in regular classes. The Policy states that curriculum cannot determine placement.

Dr. Chet Johnson, Executive Director

Dr. Lynn D. Love, Assistant Director

Sen. Ed.  
3/14/94  
Attachment 5

Senator Dave Kerr

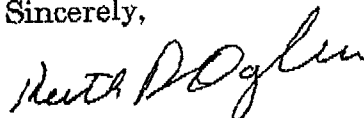
March 14, 1994

Page 2

3. Regular teachers will not know what and how to teach most handicapped children without appropriate training. I doubt that inservice education will meet the need.
4. The policy states that a child may be placed in a more restrictive environment when his behavior disrupts the learning of others. What constitutes disruptive behavior? Is a child in the sixth grade who functions on a second grade level being disruptive when he needs an inordinate amount of the teacher's time to learn at his level of ability?
5. The purpose of special education is to help children learn in accord with their abilities and life needs. The whole Policy misses the point of "appropriateness". It implies that appropriate is tantamount to regular class placement. The Federal Law (IDEA) makes it clear that "appropriateness" is more important than "least restrictiveness". I don't think that the Policy is compatible with the principles of IDEA.

Thank you for taking the time to consider my thoughts.

Sincerely,



Keith Ogburn  
School Psychologist

KO:clw

Enclosure



## Reg. 300.542

## LAWS AFFECTING CHILDREN WITH SPECIAL NEEDS

(b) In the case of a child of less than school age or out of school, a team member shall observe the child in an environment appropriate for a child of that age.

(20 U.S.C. 1411 note.)

[42 FR 65083, Dec. 29, 1977. Redesignated at 45 FR 77368, Nov. 21, 1980]

## Reg. 300.543 Written report.

(a) The team shall prepare a written report of the results of the evaluation.

(b) The report must include a statement of:

- (1) Whether the child has a specific learning disability;
- (2) The basis for making the determination;
- (3) The relevant behavior noted during the observation of the child;
- (4) The relationship of that behavior to the child's academic functioning;

(5) The educationally relevant medical findings, if any;

(6) Whether there is a severe discrepancy between achievement and ability which is not correctable without special education and related services; and

(7) The determination of the team concerning the effects of environmental, cultural, or economic disadvantage.

(c) Each team member shall certify in writing whether the report reflects his or her conclusion. If it does not reflect his or her conclusion, the team member must submit a separate statement presenting his or her conclusions.

(20 U.S.C. 1411 note.)

[42 FR 65083, Dec. 29, 1977. Redesignated at 45 FR 77368, Nov. 21, 1980]

**LEAST RESTRICTIVE ENVIRONMENT**

## Reg. 300.550 General.

(a) Each State educational agency shall insure that each public agency establishes and implements procedures which meet the requirements of Regs. 300.550-300.556.

(b) Each public agency shall insure:

(1) That to the maximum extent appropriate, handicapped children, including children in public or private institutions or other care facilities, are educated with children who are not handicapped, and

(2) That special classes, separate schooling or other removal of handicapped children from the regular educational environment occurs only when the nature or severity of the handicap is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

(20 U.S.C. 1412(5)(B); 1414(a)(1)(C)(iv))

Reg. 300.551 **Continuum of alternative placements.**

(a) Each public agency shall insure that a continuum of alternative placements is available to meet the needs of handicapped children for special education and related services.

(b) The continuum required under paragraph (a) of this section must:

(1) Include the alternative placements listed in the definition of special education under Reg. 300.13 of Subpart A (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions), and

(2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

(20 U.S.C. 1412(5)(B))

Reg. 300.552 **Placements.**

Each public agency shall insure that:

(a) Each handicapped child's educational placement:

(1) Is determined at least annually,

(2) Is based on his or her individualized education program, and

(3) Is as close as possible to the child's home;

(b) The various alternative placements included under Reg. 300.551 are available to the extent necessary to implement the individualized education program for each handicapped child;

(c) Unless a handicapped child's individualized education program requires some other arrangement, the child is educated in the school which he or she would attend if not handicapped; and

(d) In selecting the least restrictive environment, consideration is given to any potential harmful effect on the child or on the quality of services which he or she needs.

(20 U.S.C. 1412(5)(B))

*Comment:* Reg. 300.552 includes some of the main factors which must be considered in determining the extent to which a handicapped child can be educated with children who are not handicapped. The overriding rule in this section is that placement decisions must be made on an individual basis. The section also requires each agency to have various alternative placements available in order to insure that each handicapped child receives an education which is appropriate to his or her individual needs.

The requirements of Reg. 300.552, as well as the other requirements of Regs. 300.550-300.556, apply to all preschool handicapped children who are entitled to receive a free appropriate public education. Public agencies that provide preschool programs for nonhandicapped children must ensure that the requirements of Reg. 300.552(c) are met. Public agencies that do not operate programs for nonhandicapped preschool children are not required to initiate such programs solely to satisfy the requirements regarding placement in the least restrictive environment embodied in Regs. 300.550-300.556. For these public agencies, some alternative methods for meeting the requirements of Regs. 300.550-300.556 include:

(1) Providing opportunities for the participation (even part-time) of preschool handicapped children in other preschool programs operated by public agencies (such as Head Start);

(2) Placing handicapped children in private school programs for nonhandicapped preschool children or private school preschool programs that integrate handicapped and nonhandicapped children; and

(3) Locating classes for handicapped preschool children in regular elementary schools.

In each case the public agency must ensure that each child's placement is in the least restrictive environment in which the unique needs of that child can be met, based upon the child's individualized education program, and meets all of the other requirements of Regs. 300.340-300.349 and Regs. 300.550-300.556.

The analysis of the regulations for Section 504 of the Rehabilitation Act of 1973 (34 CFR Part 104—Appendix, Paragraph 24) includes several points

## Office of Staff Development

To: Legislative Committee

From: Tom Hawk

RE: Source Locations for Job Corp Students

Date: February 7, 1994

Below is a listing of the screener locations that are the source of students who are currently at the Job Corp. Note that the screeners are the Job Service Offices of the Kansas Department of Human Resources. Those offices interview students for their initial application to the Job Corp. Currently 235 students are enrolled at the Job Corp - 203 are listed below from their geographic screening area. The additional 32 students have come to the Job Corp through other placements and transfers. Since the beginning of the Job Corp 737 students have attended from all over the state. I have names and city of origins for all of the students if you want a copy. I was not able to get a printout by county.

Screener Location	# Current Job Corp Students
Arkansas City	7
Atchison	1
Chanute	5
Coffeyville	1
Colby	2
Dodge City	1
El Dorado	3
Emporia	18
Garden City	3
Goodland	2
Great Bend	1
Hays	1
Hutchinson	12
Independence	6
Junction City	16
Kansas City	10
Lawrence	1
Leavenworth	3
Liberal	7
Manhattan	9
McPerson	6
Newton	7
Ottawa	3
Overland Park	1
Pittsburg	2
Salina	12
Topeka	34
Wichita	29

Sen. Ed.  
3/14/94  
Attachment 6

HOME OF RESIDENCE LOCATIONS

FLINT HILLS JOB CORPS CENTER'S STUDENTS

<u>SCREENER LOCATION</u>	<u>CURRENT JOB CORPS STUDENTS</u>	<u>FORMER STUDENTS (LAST 2 YEARS)</u>
Arkansas City	7	13
Atchison	1	13
Chanute	5	17
Coffeyville	1	0
Colby	2	0
Dodge City	1	5
El Dorado	3	5
Emporia	18	32
Garden City	3	16
Goodland	2	5
Great Bend	1	5
Hays	1	9
Hutchinson	12	12
Independence	6	23
Junction City	16	47
Kansas City	10	42
Lawrence	1	7
Leavenworth	3	35
Liberal	7	13
Manhattan	9	38
McPherson	6	21
Newton	7	19
Olathe	0	11
Ottawa	3	17
Overland	1	0
Parsons	0	1
Pittsburg	2	9
Salina	12	38
Topeka	34	82
Wichita	29	148



## USD #383 Office of Staff Development and Special Projects

To: Kansas Legislative Committee Members

From: Tom Hawk

Date: February 4, 1994

Re: Educational Funding for USD #383 for Manhattan Job Corp Services

Below are cost projections for the establishment of high school courses at the Job Corp center in Manhattan. The KSBE allowed an initial FTE of 90 students in order to establish the program this year. As of today, 107 students have signed up with the Job Corp counselor for participation in the program. Initial costs for initiating the program, purchasing computer hardware and software, and staffing will be covered by those first year revenues:

### 1993-94 School Year

Equipment and Software for CCC and NovaNet Labs	\$ 190,940.00
Personnel First Year	116,560.00
Counselor	36,648
VoEd Coord.	912
Teachers (6Mo)	60,000
Para(6Mo)	17,000
Consults	2,000
Administrative Costs	10,000.00
Transportation & Mileage	1,500.00
Materials & Supplies	5,000.00

Cost projections for the 1994-95 school year are outlined on the next page. We have considerable concern about how the state will count the Job Corp students in this program. At this time we anticipate at least 120 different Job Corp students enrolling in the individualized, computerized high school credit program. This would translate into at least 20 FTE. We hope to be able to count our vocational work and raise that FTE to 25 to 30. However, in order to meet our program costs for this "at risk" population of students, we would need to have the double count revenue. (Note that personnel costs are higher due to the year round nature of the Job Corp and the need for 12 month employees.)

### 1994-95 School Year

Equipment/Software Licence Fees	\$ 45,980.00
Personnel:	100,100.00
Counselor	\$37,500
Career Ed	1,000
Teacher(12Mo)	37,500
Para(12Mo)	15,000
Benefits	9,100
Materials and Supplies	2,500.00
Total Costs:	\$ 148,580.00
Anticipated Revenue Worst Case 20 FTE	\$ 72,000.00
Deficit/Loss	\$ -- 76,580.00*
Double Revenue with 20 FTE	\$ 144,000.00
Deficit/Loss	-- 4,580.00**

\*Without double funding we would anticipate a loss of \$ 76,580.00 to the district in order to operate this program at the Job Corp site.

\*\* (With double funding, there is still a possible loss of \$ 4,580.00. We believe that adjustments could be made in personnel hours and materials to stay within budget if additional students were not enrolled.)

# Geary County Unified Schools

District No. 475 Junction City, Kansas 66441 Phone (913) 238-6184



March 14, 1994

To: Senate Committee on Education  
Subject: Senate Bill no. 784  
Presenter: Dr. Mary Devin, Superintendent

Mary E. Devin  
Superintendent of Schools

The North Central Kansas Regional Juvenile Detention Facility is located within the Geary County USD. The Facility opened January 1 and is authorized provide for up to 16 beds to serve the needs of the eleven counties in the interlocal agreement. This facility was reported to be the only new juvenile detention center to be constructed under budget and to open on time.

The Geary County USD has worked with the county to provide the teacher and the educational program for the juveniles in the Center. The teacher faces a real challenge because the student population changes every day--in numbers, in social dynamics and in respect to educational needs. Today there are 13 occupants, slightly below the average of 14 per day. The average stay is three weeks, according to the Director, although many stay only a day or two. A very few are approaching the three month maximum stay. Of the residents, 40 to 60 percent are from outside Geary County.

In the first four weeks the Center was open, 33 different juveniles were in the educational program, which must be very different from the rest of our school program. It takes a special teacher to work with these young people effectively. Resources must be provided to meet the variety of individual needs represented. There is a great need for computers and software to use with students and to assist the teacher in monitoring the constantly changing student records. These things make the educational program at the Juvenile Center more costly than the regular program in an attendance center and create additional strain on the school district budget.

The Geary County Unified School District already has one of the lowest budgets per pupil among Kansas school districts. We are one of the 12 school districts where an election for a local option budget failed. As a result of that and the continuation of the \$3600 base budget per pupil, the district has been forced to cut programs and services in order to redirect existing resources to mandated programs such as special education and the juvenile detention Center.

The Board of Education and the staff of this district realize the difficult decisions facing the legislature. We know that there are many needs outside of education which must be addressed. However, the Juvenile Detention Center program is a mandate. It is unfair to place the burden of that mandate at the local school district level. We respectfully urge you to assume the burden of that mandate at the state level by providing reimbursement for expenses or allowing districts additional budget authority for serving the students in these juvenile detention centers.



AN EQUAL OPPORTUNITY EMPLOYER

Sen. Ed.  
3/14/94  
Attachment 7



**Testimony on S.B. 784 Before the Senate Education Committee  
By Mark Tallman, Director of Governmental Relations  
March 14, 1994**

Mr. Chairman, Members of the Committee,

We appreciate the opportunity to appear today in support of S.B. 784, but we also want to register some concerns. The issue of budget support for educational services provided to students in juvenile detention facilities was raised earlier this year in the House Education Committee. That committee held hearings on a bill that would have provided a pupil weighting factor for those students. We were unable to support that bill because we had not seen cost and expenditure information that would justify a particular weight.

We believe S.B. 784 is an improvement on that concept because it provides a grant of state funds for actual expenses incurred for pupils residing in the Flint Hills Job Corps Center as well as juvenile detention facilities. It seems to us that this is a more "rational educational basis" for such support.

However, it also seems to us that schools districts should not receive a "blank check" for providing these services, when expenditures on other students are limited by the base state aid per pupil and local option budget features of the school finance act. Therefore, both the State Board of Education and the Legislature should closely monitor actual expenditures under this bill to determine if some limit should be imposed.

Thank you for your consideration.

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

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

March 14, 1994

TO: Senate Education Committee

FROM: State Board of Education

SUBJECT: 1994 Senate Bill 784

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.

If the concept of weighting is not acceptable, the State Board of Education, as an alternative, would support the concept of Senate Bill 784. We believe it is essential that funding be made available for the juvenile detention centers required under state law.

Attached is information concerning the location of facilities provided by the Secretary of SRS in November, 1993. It is estimated there will be 260 students during the 1994-95 school year in juvenile detention centers and an estimated 20 full-time equivalent students at the Flint Hills Job Corps Center.

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

*Sen. Ed.  
3/14/94  
Attachment 9*

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

BOB TOMLINSON  
REPRESENTATIVE 24TH DISTRICT  
STATE CAPITOL  
TOPEKA, KS 66612-1504  
913 296-7640  
5722 BIRCH  
ROELAND PARK, KS 66205  
913 831-1905



TOPEKA

COMMITTEE ASSIGNMENTS  
MEMBER: EDUCATION  
LOCAL GOVERNMENT  
JOINT COMMITTEE ON PLANNING EDUCATION

HOUSE OF  
REPRESENTATIVES  
Testimony Before the

Senate Education Committee  
House Bill 2553

Mr. Chairman and Members of the Committee

This bill would allow school districts to charge tuition and set up a special fund to operate extraordinary schools. These schools could be operated before or after regular school hours during the normal school term. An extraordinary school is akin to a summer school program in its makeup and objectives. These schools are used to remediate students, allow them to "catch up" on credits or allow them to take advantage of extra educational opportunities.

The 1992 School finance formula reimburses school districts at \$3,600 per student. It also allows school districts to provide local support in the form of a local option budget. Any additional local support is considered when reimbursing districts their base state aid. Tuition programs then, unless specially considered, count against base state aid for monies collected.

Sen. Ed.  
3/14/94  
Attachment 10

In the 1993 legislative session, we passed legislation to establish a special summer school fund to continue those programs. This bill merely takes the sure concept and allows districts to maintain programs outside the school day.

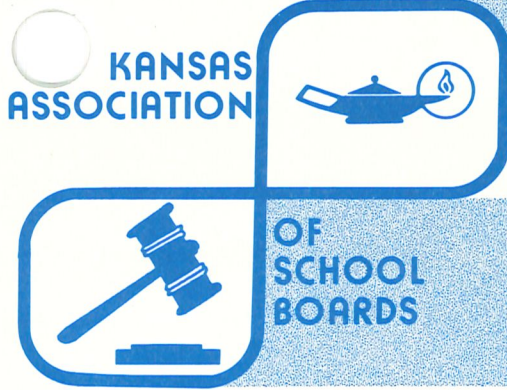
This bill does not set up a lot of radical programs. Nor does it attach the basic school finance formula. Further, under the conditions of the bill, no student may be required to go to one of the schools and be forced to pay tuition.

This bill, however, is not without controversy. It passed the House by a slim 63-61 margin. The principle arguments against it are philosophical in nature. Many are opposed to any charging for public education. Others feared discrimination against the poor. These arguments do not have much validity when compared to providing necessary opportunities for students to succeed.

What this bill does is maintain an opportunity for more traditional students to receive credit at the time of their choosing when circumstances required make it difficult for them to gain credit in a regular school environment. This merely allows school districts to maintain many current programs.

Proposed Amendment to House Bill No. 2553

On page 1, in line 18, after "pupils", by inserting "who meet the district's criteria for attendance of such programs"; in line 29, after "pupils", by inserting "who are"; in line 32, after "child", by inserting "or who are eligible for free or reduced price meals under the national school lunch act"



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

**Testimony on H.B. 2553  
Before the the Senate Committee on Education  
By Mark Tallman, Director of Governmental Relations**

**March 14, 1994**

Mr Chairman, Members of the Committee:

KASB supports H.B. 2553 for two reasons. First, we know that many students can benefit from additional time in an appropriate learning environment - time beyond the regular hours of the school day. This bill would make it easier for school districts to provide this additional time.

Second, this bill would provide a clear legal basis for school districts to offer "extraordinary" programs, and to charge fees to help finance these programs. We believe this option should be available to local districts; just a similar option for summer school programs was enacted by the Legislature several years ago.

Our only note of caution is that such fees should not be allowed to keep children from accomplishing learner outcomes if their families cannot afford them. The state should not expect that student fees can substitute for adequate public funding the educational program.

Thank you for your consideration.

Sen. Ed.  
3/14/94  
Attachment 11



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

Susan Chase Testimony before  
Senate Education Committee  
Monday, March 14, 1994

Thank you Mr. Chairman. I am Susan Chase and I represent Kansas NEA. I appreciate this opportunity to visit with the committee today about HB 2553, the bill to authorize school districts to establish, operate and maintain extraordinary school programs.

We support the programs that are being promoted in this bill. We truly believe that school no longer is confined to the hours of 7:30 - 3:30 and that in order to meet the needs of students we must provide alternative routes for them to achieve the learner outcomes we have established.

We believe that these programs should be a part of the regular school program and be funded by school funds, but realize that with the limited funding available we may have to provide an alternative way for districts to fund these programs until such time the funding is adequate.

We definitely support the intent of this bill, but have some concerns over what we perceive as possible abuses that could occur under this proposal. We have concerns over the ability of districts to overfund the extraordinary school program with moneys from the general fund, and that districts may begin to charge students for assistance that should fall into the regular school program. We feel it is imperative that the use of these funds be scrutinized so as to prevent such abuse.

Kansas NEA supports HB 2553, and asks that the committee and legislature pass favorably on this bill. Thank you for listening to our concerns.