

## **MINUTES**

### **LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE**

September 19-20, 2005  
Room 514-S—Statehouse

#### **Members Present**

Senator Jean Schodorf, Chairperson  
Representative Kathe Decker, Vice Chairperson (September 19)  
Senator Marci Francisco  
Senator Roger Pine  
Senator Mark Taddiken (September 20)  
Representative Barbara Ballard (September 19)  
Representative John Faber  
Representative Deena Horst  
Representative Steve Huebert  
Representative Eber Phelps  
Representative Jo Ann Pottorff

#### **Members Absent**

Senator Ruth Teichman  
Senator John Vratil

#### **Staff**

Mary Galligan, Kansas Legislative Research Department  
Deb Hollon, Kansas Legislative Research Department  
Carolyn Rampey, Kansas Legislative Research Department  
Kathie Sparks, Kansas Legislative Research Department  
Art Griggs, Office of the Revisor of Statutes  
Theresa Kiernan, Office of the Revisor of Statutes

#### **State Department of Education Staff**

Dale Dennis, Interim Commissioner, State Department of Education

#### **Conferees**

Linda Geiger, Education Program Consultant, State Department of Education  
Scott Myers, Superintendent, USD 218 (Elkhart)  
Bill Bagshaw, Principal, Hope Street Academy, USD 501 (Topeka)  
Garry Musselman, Executive Director, Kansas State High School Activities Association  
Dr. Robert Masters, Vice President for Academic Affairs, Kansas Board of Regents  
Dr. Larry D. Clark, Interim Executive Director, Jones Institute for Educational Excellence, Emporia State University  
Dr. Rodney Sobieski, Dean of the College of Liberal Arts and Sciences, Emporia State University  
Dr. Elizabeth Yanik, Recipient of the 2004 Presidential Award for Excellence in Science, Mathematics and Engineering Mentoring  
William Sailors, Director, Center for Innovative School Leadership  
Dr. Connie Briggs, Director, Reading Recovery Program, Jones Institute for Educational Excellence  
Linda Sobieski, Director, National Board Certification Program, Jones Institute for Educational Excellence  
Dr. Scott Waters, Director, Future Teacher Academy, Jones Institute for Educational Excellence  
Dr. Larry Lyman, Chair, Department of Early Childhood/Elementary Teacher Education, Emporia State University  
Mark Tallman, Assistant Executive Director/Advocacy, Kansas Association of School Boards  
Diane Gjerstad, USD 259 (Wichita)  
Val DeFever, Schools for Quality Education  
W. L. Sawyer, Superintendent, USD 501 (Topeka)  
Representative Richard Kelsey  
John Sanders, Program Director, King's Achievement Center  
Barry Littleton, Facility Administrator, King's Achievement Center  
Cloyce Spradling, Principal, Goddard High, (USD 265)  
Darrin Ross, Teacher, Goddard Alternative Program (USD 265)

## **Monday, September 19**

### **Virtual Schools in Kansas**

Linda Geiger, State Department of Education, presented information on virtual schools in Kansas ([Attachment 1](#)). Ms. Geiger told the Committee that the State Board of Education approved requirements for virtual and online programs in February 2004 which were intended to ensure quality of program offerings and to provide state auditors guidelines, including how students would be counted. (School districts may only count students who are enrolled in a program that is registered with the State Department of Education. The student must be in class, face-to-face on September 20, or there must be documentation that the student was engaged in academic activities on September 20.)

According to Ms. Geiger, 18 school districts and four service centers currently provide virtual learning opportunities. In order to be approved, a program must do the following:

- Undergo a site visit by a team comprised of at least three members appointed by the State Department of Education;

- Meet personnel requirements, including having Kansas certified teachers to provide instruction, assistance, and student support;
- Designate a student and parent communications liaison to ensure continuous communication between schools, teachers, students, and parents;
- Designate technical support staff;
- Designate a staff member to develop, implement, and evaluate a training program for staff, students, and parents in the use of the online program;
- Designate a testing facilitator to coordinate all district and state assessments for online students;
- Designate a data entry staff person to provide data entry services, including student enrollment in online courses and data processing of student grades for report cards and transcripts; and
- Designate a staff member to perform counselor duties such as reviewing transcripts, recommending course schedules for online programs, and providing career counseling.

Scott Myers, Superintendent of USD 218 (Elkhart), described the Elkhart Cyber School, a virtual school that enrolls 145 students (Attachment 2). Mr. Myers said the school started five years ago and slowly grew to its present size.

According to Mr. Myers, operating a successful virtual school involves the following principles:

- "Blood in the water"—a school district has to involve its own people in the effort in order to make a full commitment. The Elkhart Cyber School was developed and is taught by Kansas instructors, is built upon Kansas standards, and is guided by a site-based management team.
- "Power of the teacher"—a virtual school program must provide academic and technical support for students and parents. The Elkhart Cyber School has student-teacher resource professionals, six full-time teachers, 18 contracted online teachers, and a counselor.
- "Communication"—Parents, students, and teachers must interact on a regular basis.

Mr. Myers said the Elkhart virtual school attracts home school students, students who are at-risk, nontraditional students, and students who have been referred to it from across the state. He said the program is not for everyone because a student must be disciplined in order to work without the direct supervision of a teacher.

Students and teachers interact through a closed e-mail system, in the virtual classroom, through a discussion board, on the telephone, and at home visits. Students in the program also must take the state assessments.

Bill Bagshaw, Principal of Hope Street Academy (Topeka), told the Committee that his school offers an alternative to suspension and expulsion (Attachment 3). He said the Hope Street Academy model features student-directed instruction based on purchased software that is available 12 hours a day, four days a week; teacher-directed instruction that is available eight hours a day, five days per week; and distance learning based on Internet courses that are available at all times.

According to Mr. Bagshaw, from 2001 to the present, Hope Street Academy has graduated 71 students and attracts students from school districts in and surrounding Shawnee County. Mr. Bagshaw said the typical student is one to four semesters behind and may have been suspended or expelled from other schools. He said many students are highly motivated because they did not do well at their former school and they do not want to fail a second time. However, he said parental involvement is necessary to keep students enrolled in a virtual school program.

### **School Activities Outside the Classroom**

Gary Musselman, Executive Director of the Kansas State High School Activities Association (KSHSAA), presented a summary of results of a survey of member schools that shows the number of hours of instructional time lost due to school activities during school year 2003-04 (Attachment 4). The presentation was in response to Representative Decker's concern that, when students are out of class participating in school activities, students remaining in class could just be killing time and not be engaged in meaningful instructional activities.

Mr. Musselman explained that, although KSHSAA has no role in classroom management, it has collected data for the past 20 years on the number of students in grades 7 through 12 who participate in school activities during the school day and the number of hours and staff involved. He said some out-of-class activities have been eliminated or reduced because of budget cuts or because more class time is needed for instructional activities.

### **Concurrent Enrollment**

Dr. Robert Masters, Kansas Board of Regents, presented information on the Board's policy on concurrent enrollment (Attachment 5). The concurrent enrollment policy was enacted by the 1993 Legislature to provide an incentive for postsecondary enrollment for certain pupils enrolled in grades 11 and 12 and is found at KSA 72-11a01, *et seq.* In order to qualify for participation, a pupil must demonstrate scholastic ability, be authorized by the principal of the school to apply for enrollment at an eligible postsecondary education institution, and be acceptable for enrollment at the institution. (Eligible postsecondary education institutions include the state universities, community colleges, Washburn University, and accredited independent institutions.) Credit earned by the student may qualify both as high school and college credit. The student concurrently enrolled is responsible for all postsecondary institution enrollment costs. For purposes of counting the student for reimbursement under the school finance law, a school district may count the student as one full-time pupil if the student's secondary and postsecondary enrollment combined is at least five-sixths time.

Dr. Masters told the Committee that in the years since the current policy was enacted, neither the Board nor the Legislature sought information about how the policy is working. A consideration of the policy began in 2003, when various committees and subcommittees of the Board developed a revised policy which was approved by the Board in May of 2005. Dr. Masters said proposed revisions include adding technical colleges to the list of postsecondary institutions that are eligible to participate in the concurrent enrollment program, adding gifted students to the statutes, and requiring teachers who teach concurrently enrolled students to have a master's degree or a

baccalaureate degree, plus 24 hours of graduate credit. The proposed changes will be included in the Regents' legislative proposals for the 2006 Session.

Dr. Masters also said that the staff is looking at funding for concurrently enrolled students because they are concerned that such students may be counted by both the school district for reimbursement under the school finance law and by postsecondary education institutions for purposes of state funding. Dale Dennis, Interim Commissioner of Education, responded that the funding arrangement was a deliberate policy at the time the statutes were enacted and was intended to give school districts and postsecondary institutions an incentive to participate in the concurrent enrollment policy. The reasoning was that, if a school district or a postsecondary institution did not get to count the student, there would be no incentive for the district or institution to accommodate high school students who wanted to take postsecondary courses that could count for credit both toward high school graduation and as higher education credits.

### **Center for Innovative School Leadership**

Dr. Larry Clark, Interim Executive Director of the Jones Institute for Educational Excellence, Emporia State University, provided background on the Center for Innovative School Leadership and introduced the Center's director, William Sailors. Dr. Clark told the Committee that Emporia, Fort Hays, and Pittsburg State universities met in October 2004 to reach an agreement on the Center's mission and a committee representing the three universities hired the director. In spring 2005, marketing activities began and contacts were made with all school districts, the Council of Superintendents, and staff in the State Department of Education to make people aware of the Center's activities. Dr. Clark said the Center is located at Emporia State University and representatives of the three universities meet quarterly to deal with business relating to the Center.

Mr. Sailors told the Committee a protocol has been developed which establishes the process by which the Center will work with school districts in order to help them realize greater efficiencies and identify best practices (Attachment 6). The Center intends to pilot test the protocol with the Hugoton and Uniontown school districts. The process begins with the school district providing documents requested by the Center staff. Next, surveys will be sent to selected staff members in the school district. After all documents and questionnaires are returned to the Center, a one- or two-day on-site visit will be scheduled with the on-site team consisting of four or five people, including the Center director, business people, and perhaps school personnel from other districts. After the on-site visit, the team will develop a written document that could include commendations, opportunities for improvement, and possible cost-saving suggestions. The director of the Center then will meet with members of the local board of education, the district's superintendent, or any other individuals the district selects. Mr. Sailors said the process could take as long as three months to complete.

The Center intends to work with school districts in the following areas:

- **Facilities Management.** The protocol will evaluate the effectiveness and efficiency of the maintenance, management, and operations of a district in maintenance of facilities, custodial operation, and energy management.
- **Human Resources.** The effectiveness and efficiency of human resources will be evaluated in the areas of organization, policies and procedures, recruitment, hiring, retention, compensation, and benefits.

- **Leadership.** Efficiencies and effectiveness will be evaluated in the areas of board member training and new member orientation, central office staff responsibilities and structure, and building leadership.
- **Teaching and Learning.** The protocol will evaluate effectiveness and efficiency in the areas of curriculum policies, instruction programs, student performance, instructional technology, special programs, and staff development.

Mr. Sailors told the Committee that the first on-site visit with pilot districts will be on November 1. The plan is to complete the Hugoton review in December and the Uniontown review in January. Mr. Sailors said school finance will not be part of what the Center looks at because that aspect of school district operations is being addressed by the Legislative Division of Post Audit.

### **Recognition of an Award for Excellence**

Dr. Rodney Sobieski, Dean of the College of Liberal Arts and Sciences, Emporia State University, introduced Dr. Elizabeth Yanik, Professor in the Department of Mathematics, Computer Sciences and Economics at Emporia State University. Dr. Yanik is the recipient of the 2004 Presidential Award for Excellence in Science, Mathematics, and Engineering Mentoring.

Dr. Yanik described her activities, which include mentoring young women and encouraging them to enter the fields of mathematics and science ([Attachment 7](#)). Projects include "Master It," a one-week summer program for eighth and ninth graders which includes sessions with women professionals and field trips; a one-day conference in March for more than 200 girls in grades six, seven, and eight featuring hands-on workshops and national speakers; and a one-day conference in February ("Sonia Kovalevsky Mathematics Day") for 60 high school juniors, featuring workshops and panels.

### **Activities of the Jones Institute for Educational Excellence**

Staff from the Jones Institute for Educational Excellence presented information on the following three programs. ([Attachment 8](#) includes all three presentations.)

- **Reading Recovery.** Dr. Connie Briggs, Director of the Reading Recovery Program, told Committee members that each \$3 spent on intensive reading programs saves \$5 in later programs to correct problems. (Her information was based on a regional study.) Reading Recovery is a one-on-one reading program for students in the early grades. The program, now in its eighth year, has served 1,196 students, has trained 149 Reading Recovery Teachers, and has been implemented in 121 buildings in 71 school districts, based on 2004 data. Based on the 2004 data, 80 percent of Reading Recovery students who completed the series of lessons were able to read and write at the average of their peers or above. Dr. Briggs told the Committee that one benefit of the Reading Recovery Program is that many of the lowest achieving first-grade students in the Reading Recovery Program are able to read and write within the average of their peers, thus reducing placements in special education programs.
- **National Board Certification.** Linda Sobieski, Director of the National Board Certification Program, told the Committee that Kansas has 177 National Board certified teachers, out of 40,000 nationwide. She said that, nationwide, the initial

certification rate for school year 2003-04 was 40 percent, but in Kansas 68 percent of the teachers who pursued National Board certification attained it.

Ms. Sobieski described an initiative of the Jones Institute and USD 259 (Wichita) to develop a resource for applicants for National Board certification which can be used by all Kansas teachers. With funding contributed by the Jones Institute and USD 259, the Institute and the school district published a resource titled *Working Wisdom: A Guide for National Board Candidates and Schools Committed to Accomplished Teaching*. The resource covers most certificate fields and provides examples of ways teachers can build their skills in areas such as content knowledge, instruction, assessment, and analysis. A draft was completed in July 2005 with final publication projected for spring 2006.

In response to a question about how many National Board certified teachers have come to the end of their ten-year licensure period and are pursuing renewal, Ms. Sobieski said that approximately 70 teachers are nearing the time when they must renew. Of the original ten teachers who were the first to obtain initial National Board certification, seven have retired and two have been recertified.

- **Future Teacher Academy.** Dr. Scott Waters, Director of the Future Teacher Academy, described highlights of the Academy's 16 years and said that a study published in February 2000 of 335 participants who attended the 1989-1997 academies shows that 92 percent stayed in Kansas to attend college and 65 percent selected teacher education as their field of study. For 2006, the academies will be held on the campuses of Emporia State University and Dodge City Community College. "Mini" Kansas Future Teacher Academies will be held in the Emporia area in February and in the El Dorado-Wichita area in April.

## **Emporia State University Elementary Partnership Programs**

Dr. Larry Lyman, Chair of the Department of Early Childhood/Elementary Teacher Education at Emporia State University, described a partnership the University has developed with Kansas City, Kansas Community College and Butler County Community College, whereby students may take most of the courses they need to become elementary school teachers on the community college campus ([Attachment 9](#)). The program is particularly attractive to nontraditional students with family and work obligations, according to Dr. Lyman.

Under the program, the students complete the general education courses which are offered by the community colleges, which normally takes two years. In the third year, the students complete professional education courses taught by Emporia State University faculty on the campus of one of the community colleges. In the fourth year, candidates complete a year-long internship in a school district near the community college campus. Emporia State Elementary Education faculty teach the courses required for Year Four and supervise the candidates in the school district assignments.

In response to a question, Dr. Lyman explained that the program currently is limited to students who plan to teach elementary school because there are too few candidates for each of the various secondary school endorsement areas to enable the University to set up a program for each area. (The elementary school endorsement does not involve endorsements in specific disciplines, which is the case with the secondary school endorsements.)

## **Impact of Hurricane Katrina**

Dale Dennis, Interim Commissioner, Department of Education, told the Committee that Kansas may get an additional 350 to 400 students from families that relocated to Kansas from parts of the country affected by Hurricane Katrina. He said the State Department of Education intends to survey school districts to get precise information on the students' grade levels and whether they need special education or other services. He said 22 students are being moved from juvenile detention facilities in other states to similar facilities in Kansas.

Mr. Dennis said it is expected that federal funding will be available to school districts that enroll children from displaced families. He told members he believes all or most of the students will be in the state in time for the September 20 enrollment count. In his opinion, most of the students who have moved to Kansas likely will stay.

## **Tuesday, September 20**

### **Dedication of 65 Percent of Expenditures for Instruction**

Mark Tallman, Kansas Association of School Boards, presented testimony in response to information presented at an earlier meeting on the subject of requiring that 65 percent of school district expenditures be for instructional purposes (Attachment 10). Mr. Tallman focused primarily on whether there is a relationship between spending a higher percentage for instruction and student performance and presented data from the National Assessment of Education Progress (NAEP). According to the NAEP data, only four of the ten states that spend the highest percentage on instruction rank in the top ten states on NAEP reading and math tests. Four of the ten states, including Kansas, which spend the lowest percentage on instruction, rank in the top ten in NAEP performance.

Mr. Tallman told the Committee that the total amount of spending appears to matter more than the percentage spent on instruction. He said the states that are in the top ten on the basis of NAEP reading and math achievement spend on average more per pupil than do the bottom ten states. He also said the programs and services not included in the definition of "instruction," such as operations and maintenance, student support, instructional support, and school administration, create conditions in which students can learn better.

Mr. Tallman also made the point that the Legislature has placed many mandates on school districts, requiring them to offer programs or services that are not "instructional." They include professional development for staff, mandatory drop-out counseling for students ages 16 and 17, site councils, school health programs, transportation, and school breakfast programs.

Diane Gjerstad, representing USD 259 (Wichita), made a distinction between "efficiency" and "effectiveness," and took the position that schools should be judged on their success in educating children, not on the basis of what percentage of their money they spend for instruction (Attachment 11). She also noted that a "one size fits all" approach to educational spending fails to take into account the great differences among school districts and the fact that some districts, such as Wichita, have to educate large numbers of students who are bilingual, at-risk, or in need of other special services.

Val DeFever, representing Schools for Quality Education, presented data on spending for instruction nationwide and discussed the implications of the 65 percent goal for small Kansas school districts (Attachments 12 and 13). Ms. DeFever pointed out that, in order for students to succeed

in school, many need services provided by support personnel, such as librarians, counselors, and paraprofessionals — services which are not classified as "instructional." In addition, small schools often are located in rural parts of the state and have proportionately higher expenses for transportation. She concluded that Kansas consistently ranks high nationally on the basis of student achievement, and policy makers ought to allow local boards of education to continue to set spending priorities.

W.L. Sawyer, Superintendent of USD 501 (Topeka), told the Committee that dedicating a set percentage of funding to instruction could be problematic, because appropriations fluctuate from year to year and school districts are not certain of a stable funding base; in some years it might be easy to hit the 65 percent target, but in some years it might not be. Further, the "one size fits all" approach fails to discriminate among school districts which have differing needs. He said when districts have students who are difficult to educate, the solution to their problems often is in the area of support services, which are excluded from the definition of "instruction."

Dr. Sawyer told the Committee that, about ten years ago, the Topeka school district eliminated some instructional coordinators and curriculum directors in an effort to streamline the administration. He said that the educational infrastructure of the district was damaged because the jobs performed by individuals in these positions are necessary to a school district. He said the greatest student achievement has been in areas in which instructional coordinators are present. In his opinion, improvement at the middle school level in Topeka has not been as great because the district has not been able to add the number of instructional coordinators it needs. He noted that one of the school districts cited favorably in an executive summary of an analysis by Standard and Poor's can attribute some of its success to the strength of its noninstructional support staff.

Dr. Sawyer also discussed the importance of support staff to deal with disciplinary problems. He said instruction has been enhanced by the creation of a disciplinary coordinator who frees teachers to spend more time teaching because they do not have to spend as much time dealing with disciplinary problems.

## **Juvenile Detention Facilities**

The staff presented a memorandum entitled "State Aid Program for Educational Services Provided Pupils Residing at Flint Hills Job Corps Center and Confined in Juvenile Detention Facilities" ([Attachment 14](#)). The memorandum reviews the state aid program under which school districts that provide educational services to juvenile detention facilities are reimbursed, describes characteristics of the facilities in terms of levels of security, and shows the amounts of state aid reimbursement received by school districts under the juvenile detention facilities state aid program.

Representative Richard Kelsey, owner of King's Camp, King's Achievement Center, which is a Level V residential home for boys in the custody of the Juvenile Justice Authority (JJA), raised concerns about educational services provided to residents of his facility ([Attachment 15](#)). Joining him in his presentation were John Sanders and Barry Littleton, administrators at King's Achievement Center.

Representative Kelsey described a history of contention with USD 265 (Goddard), which provides educational services to the facility. The Goddard school district chooses to educate students at the district's own facilities instead of at the Center itself. According to Representative Kelsey, this is a problem because it subjects Center students to outside influences and makes it more difficult to keep them out of trouble and to change their behavior in preparation for adulthood. Center students in Goddard schools have been subjected to excessive school suspensions, are supervised by school officials who could easily be overpowered by a student in a fit of rage, are

transported five miles to the school facility without adequate supervision, and have only 168 days of instruction. The Goddard district also criticizes the Center for its General Education Diploma (GED) program and the fact that some of the Center's students are in that program instead of being educated by the Goddard school district.

Representative Kelsey raised several issues, including whether school districts should be reimbursed under the juvenile detention facilities aid program when they provide educational services at their own facility, rather than at the juvenile detention facility; whether all costs of educating students are taken into account, such as special education, transportation, and other costs; and whether the juvenile detention facility ought to have the final say about where they get their educational services, instead of the final say resting with the school district in which the facility is located or with the State Department of Education.

John Sanders, Program Director at King's Achievement Center, spoke to the quality of programming at the Center and explained the importance of keeping residents at the Center in a controlled environment in which they are not exposed to the bad behavior of other students and where they are under the constant supervision of staff who are expert in dealing with behavior management.

Barry Livingston, Facility Administrator at King's Achievement Center, expressed concerns about students at the Center mingling with non-adjudicated students, about the high suspension rate for Center students, and about the short school term for Center students (168 days). He also said students with special needs were not getting the help they need to reenter society.

In discussion with Committee members, Representative Kelsey said he presently is investigating the possibility of arranging with a school district in western Kansas to offer virtual schooling to the Center's residents.

Information about the Goddard school district was presented by Cloyce Spradling, Principal of Goddard High, and Darrin Ross, a teacher in the Goddard Alternative Program (GAP). (Information presented by the Goddard conferees is available in the Kansas Legislative Research Department.)

Mr. Ross said educational services originally were provided by the Goddard district at the Center and were housed in facilities that were badly in need of repair. He also said Representative Kelsey wanted the Goddard district to pay rent to the Center for the use of the facilities. It was at that point that the Goddard district decided to consider the possibility of educating the students in a school facility. He said the district is able to offer support services not available at the Center, such as libraries and up-to-date technology. Further, mixing with non-adjudicated students helps prepare residents of the Center to reenter society. He said initial resistance from Goddard students and the general community to integrating Center students with regular students has been overcome, and he considers the program a success.

Mr. Ross said the pupil/teacher ratio for students from the Center at Goddard is 8:1 and that 14 of the Center's students have graduated from high school. He said Center students who are pulled out of the Goddard setting to work on their GEDs at the Center have less success than they would if they stayed in school because they are not doing all that they should to complete their education. He also expressed concern about special education students not getting the services they need. He said services for special education students is one area of contention between the school district and the Center.

Cloyce Spradling, Principal at Goddard High School, described GAP as a separate program within the Goddard school district which provides educational services to the students residing at the

Center. He explained that in 1998, students at King's Camp were educated in regular classes at Goddard Middle School. In 1999, when the students became the custody of JJA, residents of the Center were home schooled at the Center. Subsequently, the Center's owner, Representative Kelsey, asked the Goddard district to provide educational services and the district contracted with the Southeast Kansas Educational Service Center (Greenbush). That arrangement was attempted but later abandoned. In January 2002, the Goddard school district decided to educate Center residents at the district's own facility. According to Mr. Spradling, the Center opposed the plan and attempted to generate opposition to the plan among residents of the community. After educating the students at various locations in the district, GAP was located in its current facility, a classroom addition at the high school.

Mr. Spradling responded to questions about whether there have been excessive suspensions involving Center students by saying that disciplinary problems occur in both the regular school setting and with Center students, and the best way to prepare Center residents for eventual integration into society is to work with them as part of a larger body of students.

Mr. Spradling elaborated on concerns about special needs students and those pursuing their GEDs by saying that the Center has not provided the district with a list of special education students so the district has no way of addressing the needs of those students. Students who reach age 16 are removed from the school setting and put into the Center's GED program which, according to Mr. Spradling, disrupts their progress toward graduation. Mr. Spradling said he believes some of the students in the GED program are special education students who need services the Center is not providing.

Mr. Spradling said the district has tried for four years to arrive at an agreement with Representative Kelsey, but has been unable to do so. This is confirmed by Representative Kelsey, who believes the district is at fault. The main area of contention is the Center's GED program and the desire of Representative Kelsey to move students from the school district to the Center's GED program when they reach 16 years of age.

On the matter of whether the district has provided Representative Kelsey with requested test scores, Mr. Spradling said test scores identifying individual students are not public information except to a parent or person acting as a parent, and most of these students are in the custody either of JJA or the Department of Social and Rehabilitation Services (SRS). In addition, the district does not give the Iowa Test of Basic Skills, which is the specific test Representative Kelsey requested. Mr. Spradling refuted Representative Kelsey's statement that the district does not test Center students prior to placing them in educational programs.

In response to a question, Mr. Spradling said parents of Center residents have the opportunity to meet with district teachers on a regular basis, although not many take advantage of the opportunity. He said the school meets with case managers of students who are in the custody of JJA or SRS.

Senator Schodorf concluded the hearing by observing that applicable statutes are working and urging the parties to try one more time to reach agreement. Comparing the situation to a proposed consolidation of school districts, she said emotions run high and parties become entrenched in their respective positions. She offered to help mediate the situation if there was interest in reaching a resolution. Otherwise, she said the standing education committees might resume consideration of the issue during the 2006 Session.

## **School Nutrition Programs**

Because of a lack of time, consideration of the implementation of 2005 Senate Resolution 1604 (school nutrition programs) will be taken up at the November meeting.

The meeting was adjourned.

Prepared by Carolyn Rampey

Approved by Committee on:

November 7, 2005

(date)