



FORT LEAVENWORTH

Unified School District 207

207 Education Way
Fort Leavenworth, Kansas 66027-1425
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DATE: 1/31/22

To: Rep. Kristey Williams and the House Committee on K-12 Education Budget

From: Dr. Keith Mispagel, Superintendent, USD 207 Fort Leavenworth School District

Re: Opponent to House Bill #2553

Madame Chairwoman and members of the House Committee on K-12 Education Budget, I am Dr. Keith Mispagel, Superintendent of Schools in the Fort Leavenworth School District (USD 207), submitting written testimony on behalf of the military dependent students and military families I'm fortunate to educate and serve. Thank you for allowing me to share concerns and some facts about my school district:

- USD 207 strongly opposes HB 2553, which mandates all Kansas school districts to permit non-resident enrollment.
- The primary concern USD 207 has with HB 2553 is the provision that requires Kansas school districts to enroll some non-resident children *regardless of the school district's capacity*. This is untenable for the Fort Leavenworth School District, which has a constant fluctuation of students throughout the school year due to the uniquely transient nature of the population it serves. Under current enrollment requirements, USD 207 adds 50 to 150 students to its schools over the course of a school year at various and unpredictable grade levels and school boundaries.
- The Fort Leavenworth School District, USD 207, is responsible for the education of approximately 1,700 military dependent children each year in grades Pre-Kindergarten through Ninth (per state statute) who represent highly mobile military careers and assignments to and from all over the country and world, including over 100 students of International Officers representing over 50 countries.
- USD 207 has an annual student turnover rate of approximately 50%. With 93% student turnover rate every three years, it is a rare event when a student can claim to have completed Pre-Kindergarten through 9th grade in our district. Last year, it was three students total.
- Maintaining optimum staffing levels for students who are residents of Fort Leavenworth was a difficult task pre-COVID. The pandemic has intensified the struggle, not just for USD 207 but for school districts across the state. The Topeka Capital-Journal recently reported: "Mischel Miller, the state's director of teacher licensure and accreditation, said vacancy concerns are focused on special education, elementary education, science, math, and English. As of fall 2021, Kansas schools reported more than 1,200 teacher vacancies, with fewer full-time equivalent educators than eight years ago."
<https://www.cjonline.com/story/news/education/2022/01/20/kansas-schools-closed-covid-republican-resoponds-limited-remote-flexibility/6584846001/>
- Because mid-year positions are especially difficult to fill with qualified candidates, requiring school districts to accept an unlimited number of non-resident dependents of a current member of the armed forces has the potential to increase class sizes beyond manageable limits. If a district is fortunate enough to coax an experienced teacher out of retirement or find a qualified candidate to fill a mid-year vacancy, adjustments to class rosters will be required, requiring some students to leave the classroom teacher who knows their learning style and classmates with whom they are familiar. Such disruptions can negatively impact student achievement, among other aspects of child development.
- Unlimited enrollment of non-resident dependents of a current member of the armed forces also may cause school districts to be out of compliance with special education laws. Ensuring capacity is not exceeded for programs providing specialized instruction is vital to providing services required by students' IEPs. Requiring districts to accept a group of non-residents – regardless of capacity – could expose school districts to liability when services cannot be provided because there is no teacher to implement the IEP.



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- Unlimited enrollment in HB 2553 also conflicts with KSA 72-6494, which does not allow school districts to transport non-resident students. Additionally, if the non-resident student has a requirement of transportation as a related service, conflicting statutory requirements collide, not to mention the inability of districts to predict or plan for the possibility of transportation needs and staffing.
- Moreover, school funding is based upon enrollment as of September 20 of each school year. Requiring school districts to admit an unlimited number of non-resident dependents of a current member of the armed forces throughout the entire school year is an unfunded mandate, which will result in already limited dollars being stretched to serve even more students.
- USD 207's student enrollment is not completed until late July of each year. Due to military orders, families do not arrive at Fort Leavenworth until mid-late July and into the first two weeks of August for our student numbers. We begin enrollment for the following school year in late April/early May like most school districts; however, with such a high transient population annually, we only have projections of approximately 50% of our total enrollment by June, with a 90% enrollment by the last week in July.
- HB 2553 makes planning and budgeting a continuous moving target. USD 207's task in this regard is already a challenge because the number of resident students it currently *must* enroll ebbs and flows on a weekly basis. The additional hurdles created by HB 2553's unlimited enrollment of non-resident dependents of a current member of the armed forces requirement will intensify those challenges, negatively impacting students.
- Districts serving high concentrations of mobile military-connected students face unique challenges in educating and supporting the social-emotional needs of military dependents.
- With HB 2553, school districts could see significant increases and/or decreases in student enrollment during a school year, further challenging staffing and program/activity offerings based on unpredictable numbers.
- I respectfully submit my opposition to HB 2553 because of the examples provided in the previous bullets, which would create unintended challenges and consequences to Kansas school districts, including those located in and around military installations in Kansas.

Thank you to the committee for the opportunity to submit my written testimony opposing HB 2553. Please feel free to contact me if additional information or details are required.

Very Respectfully Submitted,

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