



Senate Education Committee
February 7, 2013
SB 44

Chairman Abrams and Honorable Members of the Senate Education Committee:

My name is Jennifer Barnhart and I am here today on behalf of Topeka Public Schools in opposition to Senate Bill 44.

First, Kansas law should mirror Federal regulation and not go beyond that which is required by the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Americans with Disabilities Act (ADA). Senate Bill #44 creates a new system of reading remediation that is outside the two aforementioned laws and in fact would be in violation of these laws. Both IDEA and Section 504 have provisions for students to be educated in the least restrictive environment to the maximum extent appropriate with their general education peers. This bill *mandates* 90 minutes a day of instruction outside the regular classroom. Both IDEA and Section 504 have strong procedural safe guards for families allowing them to be part of decision making, rather than the recipient of mandated services that may not be in the best interest of their child. Finally, the courts have been clear that educational methodology should be the responsibility of professional educators. This bill again mandates a multisensory phonetic approach which may not be appropriate for some students. These educational decisions must remain with professional educators and parents who know the needs of the students.

Second, there are multiple avenues for children to receive reading instruction in our schools. Students receive instruction through core curriculum, tiered systems of instructional support, Title programs, 504 plans, and special education. Dyslexia is already recognized under IDEA and 504. We do not need an additional program mandated for Kansas Public Schools.

Third, writing a special law for a specific disability (dyslexia) is bad policy. This is a precedent that would unnecessarily open the flood gates for every disability group to receive special consideration, thus fragmenting our special education system.

Finally, the cost of this program is prohibitive. This bill impacts the universities with teacher training programs, would require additional staff in our schools, and requires transportation to and services of third party vendors. In these difficult fiscal times this is not a reasonable expenditure of public funds. Thank you for the opportunity to share my concerns with you. I urge you not to support Senate Bill 44.

Respectfully Submitted,

A handwritten signature in black ink that reads 'Jennifer Barnhart, PhD'. The signature is written in a cursive, flowing style.

Dr. Jennifer Barnhart
Director of Special Education K-12

Topoka Public Schools Legislative Positions

Topoka Public Schools Board of Education promotes the following tenets as guidance for Kansas policy makers as they make decisions that will impact the students and families we serve.

Self-finance:

Kansas policymakers should adhere to the Kansas Constitutional requirement to suitably and equitably fund education with a state finance system.

Such funding for education should be reliable, fair and financially sustainable, and not overly reliant on local funding or limited by political pressures. Allowance for spending on education should be directly tied to the educational needs of the state's student population in order to adequately prepare students for success in the workforce.

The current funding formula is sound. The main problem is that it is not funded.

Any formula revision must take into consideration the Legislature's own 2006 study showing:

1. a direct link between urban poverty and low student achievement and a correlation between spending and student achievement, and
2. the additional challenge and financial burden of educating at risk students in urban settings.

Taxes:

- A sound tax system is one where sales tax, property tax, and income tax are balanced. Above all, cutting state taxes without providing offsetting revenues will, at best, shift the burden for funding schools to local taxpayers and thereby further disqualify Kansas' education system. At worst, it will erode the quality of the education we provide for our students.

About Topoka Public Schools

Enrollment: 13,852 students Free & Reduced: 77%

Special Education: 19% ELL: 70%

Student Ethnicity:

Caucasian - 49% Hispanic - 27%
African-American - 20% Native American - 2%
Other - 9%

Key components for the school finance formula:

- The school finance formula must be for at least two years or more to allow our school district to plan, prioritize and forecast our spending into the future.

The formula must provide the appropriate funding for any mandates required of school districts. Any additional unfunded mandates will force school districts to choose between providing core classroom services or meeting such mandates.

The formula must maintain weightings for special populations in order to suitably address the wide array of students Kansas educates.

- The formula must adequately fund the base per pupil because per pupil funding is the primary source of funding for the regular classroom.
- The formula must consider the cost of educating today's students from year to year, with consideration to inflation.

- The formula must balance local effort with the state obligation to suitably fund education under the Kansas constitution, and thereby balance increased local funding options with increased state equalization aid. It should also mediate reliance on local property taxes.

The formula must link local effort with state equalization responsibilities and strike a balance between districts with low property valuations and those with high property values, as well as the excess costs required to educate special populations.

- Districts must be afforded flexibility in operational funds, including capital outlay, to allow each district to meet the unique needs of the community and it's student population.

- Kindergarten must be full day and funded in the formula consistent with grades 1-12.

Other issues of importance:

- School safety is a top priority, therefore we recommend funding for the Kansas, Safe and Prepared School Program and for basic incident command training for all school administrators and teachers.
- State grants for school safety would help ensure our schools are prepared for any emergencies.

Quality early childhood programs are vital to student success. The continuum of programs should be preserved and enhanced. Topeka Public Schools remains committed to a comprehensive P-12 educational system.

- Career pathways and technical education should continue to be promoted, with an emphasis on public private partnerships that provide a continuum of exposure to possible career opportunities for students.
- The Kansas State Board of Education must continue to be elected to determine educational policy for the state's primary and secondary schools as established in Article 6 of the Kansas Constitution.

- Tuition tax credits, voucher systems, charter schools, or choice plans to aid private elementary or secondary schools are not subject to the same legal requirements and accountability standards as public school systems. The issue is not educational "choice" but using public funds to support schools that can discriminate in admission, provide sectarian religious instruction and "compete" under different rules than public schools.

- Research does not support the practice of retention as a method of improving student achievement. We support funded mandatory summer school for primary students reading below grade level.

