

## **MINUTES**

### **JOINT COMMITTEE ON CHILDREN'S ISSUES**

December 9-10, 2008  
Room 545-N—Statehouse

#### **Members Present**

Senator Julia Lynn, Chairperson  
Representative Mike Kiegerl, Vice-Chairperson  
Senator David Haley  
Senator Laura Kelly  
Senator Susan Wagle  
Representative Sue Storm

#### **Members Absent**

Senator Roger Reitz  
Representative Brenda Landwehr  
Representative Bill Otto

#### **Staff Present**

Martha Dorsey, Kansas Legislative Research Department  
Kelly Navinsky-Wenzl, Kansas Legislative Research Department  
Reed Holwegner, Kansas Legislative Research Department  
Amy Deckard, Kansas Legislative Research Department  
Renaee Jefferies, Office of Revisor of Statutes  
Nobuko Folmsbee, Office of Revisor of Statutes  
Florence Deeter, Committee Secretary

#### **Conferees**

Kathryn Dingley and Ben Edwards, Mission Hills  
Elizabeth Boresow, Blue Valley North High School  
Dr. Bill Craig, Chairman, Kansas Autism Task Force  
Karen Lemon, Johnson County  
Sharon Jerwick, Overland Park  
Phyllis Young, Lenexa  
Leia Holley, Bonner Springs  
Jeanie Zortman, Dodge City (by conference phone)  
Mary Tate, Teacher, Twin Lakes Educational Cooperative

Lorena Mead, Johnson County Developmental Supports  
Dr. Deb Kamps, Director, Kansas Center for Autism Research and Training  
Dr. Wendy Parent, Research Professor, University of Kansas, Partner, Kansas Center  
for Autism Research and Training  
Sean Swindler, Director of Community Program Development and Evaluation, Kansas  
Center for Autism Research and Training  
Chris Ross-Baze, Kansas Department of Health and Environment  
Eldonna Chestnut, Johnson County Health Department  
Nancy Jensen, City of Wichita Health Department  
Dr. Dennis Cooley, Chairman, Governor's Child Health Advisory Committee  
Leadell Ediger, Executive Director, Kansas Association of Child Care Resources  
and Referral Agencies  
Deb Crowl, President, Kansas Association for the Education of Young Children  
Diane Purcell, Member, Kansas Association for the Education of Young Children  
Cathy Gray, Member, Kansas Association for the Education of Young Children  
Kimberly Engleman, Parent, Olathe  
Mary Vanhooser, Olathe, Child Care Providers Together  
Scott Keller, Wichita, Child Care Providers Together  
Mary Aultenhoffen, Surveyor, Pottawatomie County Childcare  
Marcia Dvorak, Director, Kansas Enrichment Network  
Anne deShazo, 1<sup>st</sup> Judicial District, Kansas Juvenile Justice Authority, Administrative  
Contact and Director of the Lansing Village Afterschool Program  
Monique Burns, Project Director, Coffey County 21<sup>st</sup> Century Community Learning  
Center  
Larry Dixon, Liaison/Consultant, Geary County School District 475, Innovations in  
Schools and Community, and the Jones Institute for Educational Excellence

## **Others Attending**

See attached list.

## **Tuesday, December 9 Morning Session**

The meeting was called to order at 10:00 a.m. The Vice-Chairperson welcomed members and guests and said the meeting is a continuation of hearings on the education of autistic children, specifically their transition from high school to adulthood. The Committee will look at the present system and consider possibilities for any changes needed.

Kathryn Dingley and Ben Edwards, Mission Hills, Kansas, collaborated in speaking of Ben's experience in making the transition to Johnson County Community College ([Attachment 1](#)). Ben said the curriculum offered and the close proximity to his home have given him the best opportunity for continuing his education; he plans to enroll in four college classes in the spring semester. His interests center in drama, writing and acquiring an associate degree in general education. Ben has not needed any modifications in his educational program, but he is free to request modifications any time the need arises. Ms. Dingley recommended having programs available locally that specialize in teaching college-bound students with an Autism Spectrum Disorder (ASD) how to live

independently while studying in the environment of a traditional four-year college. She indicated these programs are available in other states, but travel and living arrangements preclude that option.

Elizabeth Boresow and her mother, Julie Boresow, spoke very highly of the educational opportunities which Elizabeth received at Blue Valley North High School ([Attachment 2](#)). Elizabeth was eventually enrolled in the gifted program and displayed a strong desire to learn. She was asked to represent the Blue Valley North student body by serving on a district-wide Committee to find ways to improve sportsmanship at athletic events. She is a student at the University of Kansas with interest in the field of music. She has a mentor who assists in scheduling her activities and, upon graduation, dreams of returning to Blue Valley as a teacher.

Dr. Bill Craig, Chairman, Kansas Autism Task Force, provided verbal testimony, saying the transition period is extremely important for persons with an ASD. He also emphasized the need for early intervention. He indicated there is a need for improvement in linking with disability resources. Parents are not adequately prepared for the amount of time required to prepare their young adults to enter college. Dr. Craig indicated any lapse of time results in loss of skills for those with ASD. He said parents need to be investigating and making plans at least five years before their student anticipates graduation from high school.

In answer to a question, Dr. Craig said that the Department of Education is making attempts to provide educational opportunities in other districts in the state; however, many trainees in special education at Kansas University are leaving the state for employment in this field.

Karen Lemon, Johnson County, expressed her concerns regarding the three-year waiting list for adult day care for her son, Michael, who will graduate in May, 2009, and is in need of transition services ([Attachment 3](#)). She did research for five years, knowing Michael would need services, only to be told he would not be admitted to day services at Johnson County Developmental Services after graduation. Ms. Lemon then requested being able to pay on a day-to-day basis for services and was told if she pursued this avenue, Michael would be taken off the waiting list; he is a totally dependent ASD young man who is deaf and non-verbal and needs constant supervision. Ms. Lemon said the amount she was required to pay per day for services was \$100.

Sharon Jerwick, Overland Park, addressed the Committee, saying her goal was to provide a better understanding of how transition services worked for her son, Jason, and to express her hope for future changes to assist others with autism ([Attachment 4](#)). She said Jason has made excellent progress with assistance from a private consultant skilled in working with persons diagnosed with autism. Nan Perrin, who is retained by the Jerwick family, has implemented a transition program and a job coach for their son. Ms. Jerwick emphasized the importance of good social skills in order for an autistic person to remain employed. She said only six percent of adults with autism currently are employed; 70 percent may not have a chance to be gainfully employed in their lifetime.

Phyllis Young, Lenexa, is a parent of a thirty-one-year-old son diagnosed with autism. She indicated the transition process for her son was difficult. She expressed her concerns about the severe lack of specialists in the field of autism—persons who can train direct care staff in behavioral support and social skills for individuals with autism ([Attachment 5](#)). Ms. Young said her son worked in the county library and in a medical library of a local hospital and also was able to file student records in the school district. However, with all this experience, he has not found employment, primarily because of lack of training in communication skills and social behaviors.

Ms. Young recommended the Committee consider providing incentives for persons with social and behavioral challenges in the MR/DD system to receive proper support for success, establish a regulatory system of supports for greater independence of those with ASD, and make investments so that all providers have access to training that can better serve individuals with autism.

Leia Holley, Bonner Springs, is the parent of Sean, who was diagnosed with autism and is ready to transition to adulthood. Ms. Holley has utilized an assessment program to evaluate areas of concern for Sean's future needs (Attachment 6). Sean's parents have been diligent in working toward the goal of his independence for making his own choices when he transitions to living in a group home. Ms. Holley listed her concerns for funding of education, an age-appropriate transition assessment program, and adequately trained case management workers. Ms. Holley provided additional data with information on the prevalence of autism in Kansas schools and the challenges surrounding transition to adulthood for those diagnosed with ASD. Sean's brother, J. P., also spoke to the Committee.

Jeanie Zortman, Dodge City, spoke to the Committee by conference phone indicating the need for adult services for persons diagnosed with autism in western Kansas. She said she wants her daughter, Mikeala, to have the opportunity to choose her course in life and to be a viable member of society; without transition services in place, this is not possible at the present. The Arrowhead West facility is maintained for severely disabled persons and has no program for those with autism. Ms. Zortman said it is a violation of Mikeala's civil rights not to have adult services in place for residents in western Kansas.

In answer to a question, Ms. Zortman said she has worked with the University of Kansas to get technology courses available to residents in western Kansas. She put together a proposal for funding to provide a site in Dodge City for an outreach team to bring courses for training; however, those funds have not been allocated.

### **Afternoon Session**

Mary Tate, Teacher, Twin Lakes Educational Cooperative, presented testimony, saying she has worked with developmentally disabled children for 30 years (Attachment 7). She indicated the transition process for ASD persons was quite simple at that time; however, with the intensity of paperwork and the waiting list, students graduating from high school are not being accepted at the adult center. Ms. Tate said the adult center has a supervisor for about five to eight adults and there is little interaction among them because of the large number of people in attendance. She would like to have a definite training system for the adult supervisors and case managers in order for them to be more cognizant of the supports and structure needed for higher functioning students in the Twin Lakes Cooperative.

Lurena Mead, Community Relations Manager, Johnson County Developmental Supports, provided an outline of a transitional process developed by educators and providers of adult services (Attachment 8). The plan identifies steps and goals related to education, employment, and independent living skills. She expressed the frustration of a 3,000-person waiting list for services and support. Ms. Mead said that proper transition planning is imperative for students to maintain the behaviors and skills they learned in the school setting. She indicated that the lengthy waiting lists and parity in the pay schedule are of equal concern in the agency.

Dr. Deb Kamps, Director, Kansas Center for Autism Research and Training (K-CART), said K-CART is one of 13 centers in the University of Kansas Life Span Institute whose mission is to build a significant center for addressing the growing number of children diagnosed with ASD (Attachment 9). Dr. Kamps explained that it is much harder to teach and motivate individuals with ASD, and the center is committed to using evidenced-based practices to enhance the lives of those persons. An executive summary of four focus groups is included, which outlines areas parents indicated were

important for them to know. Included with her testimony is an article from the web page of the Autism Society of America.

Dr. Wendy Parent, Research Professor, University of Kansas and Partner, K-CART, is an expert and national leader in the area of transition for individuals having ASD ([Attachment 10](#)). She quoted statistics showing the number of individuals having successful employment nationally versus the percentage of individuals in Kansas who receive support in competitive employment. Dr. Parent listed a number of recommendations for improving employment outcomes for transition-aged young adults in Kansas on page three of her testimony. She indicated that transition is a shared process that involves all key persons and adult service agencies and is best incorporated in Individual Educational Planning early within the school systems.

Sean Swindler, Director of Community Program Development and Evaluation with K-CART, outlined the elements of building a solid transition program and said that when all of these factors are in place, the individual with ASD can continue to grow and develop skills necessary for independence ([Attachment 11](#)). Mr. Swindler recommended ending waiting lists for services, passing Kate's Law, increasing access to well-trained behaviorists, and enhancing the availability of evidence-based practices.

### **Wednesday, December 10 Morning Session**

The Chairperson called the meeting to order at 9:00 a.m., saying the topic of child-care licensing will be addressed.

Chris Ross-Baze, Director, Child Care Licensing and Registration Program, Kansas Department of Health and Environment (KDHE), said the Department is undergoing a comprehensive review and redesign of the licensing system in Kansas ([Attachment 12](#)). To gather pertinent information, a Child Care Licensing System Improvement Best Team, formed as an advisory group, conducted listening tours across Kansas. Ms. Ross-Baze requested that any proposed changes in the licensing requirements continue to uphold basic health and safety standards and regulations presently established. She noted for the members an "exception use" graph depicting current program activities in the state, and the number of child care facilities and homes in each county ([Attachment 13](#)). Agencies involved in the Best Team are included in a list ([Attachment 14](#)).

Eldonna Chestnut, Division Director of Adult and Child Care Facilities, Johnson County Public Health Department, spoke as a proponent for increasing the number of regulated facilities when there is a shortage of quality day care in certain cities or counties ([Attachment 15](#)). She said it would be necessary to continue adhering to the regulations set forth by KDHE. Ms. Chestnut expressed concerns surrounding the "illegal care" providers, some of whom provide their own self-assessment checks. She said that surveyors only have the right to enter a facility on a complaint/compliance investigation. Ms. Chestnut said it is in the best interest of providers and important for the safety of children to have an annual inspection by professional childcare surveyors.

Nancy Jensen, Program Supervisor, Child Care Licensing Program, City of Wichita Environmental Services, provided an overview of the role of local government in the child care licensing environment ([Attachment 16](#)). The City of Wichita provides regulation and oversight of regulated child care facilities and conducts child care programs through the Parks and Recreation Department in neighborhoods where children are considered high risk/low income. Ms. Jensen

expressed her concerns regarding the need for increasing capacity in homes without providing more deliberate oversight; quality of care could be compromised.

Dr. Dennis Cooley, Chairman, Governor's Child Health Advisory Committee, gave testimony on the topic of Sudden Infant Death Syndrome (SIDS), saying, there were 12 deaths related to SIDS reported to KDHE in 2007 ([Attachment 17](#)). Two other infant deaths reported were not related to SIDS. He reported that the findings of the Best Team included a recommendation for more comprehensive training for providers in this area. Dr. Cooley said the first rule is for infants to sleep only on their backs; mandating the procedure is futile unless the public accepts education on this topic. It was suggested a media blitz could be the avenue to inform and educate the public.

Leadell Ediger, Executive Director, Kansas Association of Child Care Resources and Referral Agencies (KACCRRRA), said KACCRRRA is a network of seven child care agencies serving all 105 Kansas counties ([Attachment 18](#)). She said the agency works with child care providers and parents who want quality care for their children. Ms. Ediger said parents have numerous assumptions surrounding child care and also have specific ideas about how that care can be improved. Making note of the recent accomplishments of the Best Team, she asked the Committee to allow them to utilize their recommendations regarding the future direction of licensing standards.

Deb Crowl, President, Kansas Association for the Education of Young Children (KAEYC), said the vision of KAEYC is that all children in Kansas will have access to quality, early childhood experiences ([Attachment 19](#)). She said that board members on the Child Care Licensing Systems Improvements Team, namely the Best Team, are committed to working together to design a system with a solid foundation for the changes needed.

Diane Purcell, Member, Kansas Association for the Education of Young Children, and a past president of KAEYC, spoke in support of the recommended process for licensing which the Best Team has researched ([Attachment 20](#)). She said that any changes in the regulations need to reflect the best practices developed in the field.

Cathy Gray, Member, Kansas Association for the Education of Young Children, and an advocate for young children, presented her testimony by covering three issues: the increase in number of before- and after-school children in care, the adjustment of regulations which apply to siblings in care, and the over-five-year-old child to be admitted to the care facility ([Attachment 21](#)).

Kimberly Engelman, parent of Lexie, who died while in child care, brought her concerns to the members regarding the safety regulations surrounding licensed child care providers ([Attachment 22](#)). Ms. Engelman said she hopes to have a "Lexie's Law" that reshapes the way children are supervised and cared for in day care homes in Kansas.

Mary Vanhooser, Olathe, Child Care Providers Together, is a provider of group child care and is licensed in Johnson County. She has worked with a business partner, Tiffany Mannes, the past four years caring for children three months to six years old. Ms. Vanhooser said that flexibility is needed in the regulations surrounding the age range between twelve months and five years. She requested these regulations be addressed and updated, and finalized by July 2009 ([Attachment 23](#)).

Scott Keller, Wichita, Child Care Providers Together, addressed the members, asking them to consider viewing child care providers as professionals who are very aware of a child's need to be safe and to have ongoing quality care ([Attachment 24](#)). He expressed concern for parents who may not realize the difference between a registered day care home and a licensed care home, especially when cost of service is a factor which the parent considers of high importance.

Mary Aultenhoffen, Surveyor, Pottawatomie County Childcare, provided verbal testimony regarding the responsibilities of a surveyor who inspects the homes of child care providers. Ms. Aultenhoffen said she encourages providers to obtain legal status, whether they are registered or licensed. She said that registered homes do not get any level of inspection in the five-county area she serves unless there is a complaint by parents. Ms. Aultenhoffen concurred that adequate funding is necessary if the regulatory system is going to be improved.

### **Afternoon Session**

Marcia Dvorak, Director, Kansas Enrichment Network, provided an overview of the status of after-school care for children in Kansas ([Attachment 25](#)). The programs offered are intended to provide a safe place for kids, help kids work toward strengthening their academic levels, provide security for working families, and open new areas of learning for finding a career path. Ms. Dvorak directed attention to page 22, which shows the number of after-school facilities or programs within each county. She also noted that federal funding is in place for the 21<sup>st</sup> Century Community Learning Centers; state revenue offers \$785,000 for middle school and enhancement grants serving 1,600 youth across Kansas.

Anne deShazo, 1<sup>st</sup> Judicial District, Kansas Juvenile Justice Authority, Administrative Contact, and Director, Lansing Village Afterschool Program, provided comments regarding the viability of after-school programs across the state ([Attachment 26](#)). One observation made by a satisfied student provides an accolade to the providers regarding his involvement—"getting to go to The Village after school makes going to school fun." Ms. deShazo offered a sample worksheet for members ([Attachment 27](#)). She said these kinds of evaluations allow students to buy into their choices for education and advancement. Ms. deShazo then directed attention to a crest design crafted by a student during the after-school program and gave an explanation of that student's work ([Attachment 28](#)).

Monique Burns, Project Director, Coffey County 21<sup>st</sup> Century Community Learning Center, has served as director of after-school programs in Burlington and Coffey County for nine years ([Attachment 29](#)). She spoke of the community-based efforts to keep programs functioning while receiving minimal funding from grants. Ms. Burns indicated a small fee of one dollar is requested per day; monies also are provided through fundraisers and donations from organizations for students unable to afford the fee. She said most after-school programs are refocusing their goals to center on academic achievement, while not omitting the teaching of real life skills. Ms. Burns said the primary goal is for the programs to become self-supporting.

Larry Dixon, Liaison/Consultant, Geary County School District 475, Innovations in Schools & Community, and the Jones Institute for Educational Excellence, said the reduction of available federal monies and the first grant awarded to Kansas precipitated a challenge of sustaining a program that was making a significant difference in the academic achievement of students targeted as at risk ([Attachment 30](#)). He said that the school district collaborated with Junction City to incorporate the Boys & Girls Club of Junction City/Geary County into the after-school program. Mr. Dixon verified the huge increase of military families intensified the need for after-school programs or care for working families. He said funds from the Army School-Age Programs in Your Neighborhood (ASPYN), a military contribution program, and the monies provided through the Boys & Girls Club are apportioned for sponsoring children in the community; a fee-based schedule of \$6.00 per month is required for participation with no more than \$64.00 required per month. He said the results are evident in that children are being protected from involvement in harmful or negative activities in the community during after-school hours. Mr. Dixon indicated that future plans include

a building complex to provide fitness and intramural programs. He suggested that the state could look for grant writers to acquire funds from various foundations.

Ms. Dvorak concluded the presentation on after-school-care programs by providing information on the current projects being conducted in Wyandotte, Russell, Labette, Montgomery, Johnson, and Douglas Counties (Attachment 31).

Written testimony from the following is included in this report:

- Holly Turner, Executive Director, Children's Learning Center (Attachment 32);
- Teresa Thompson, Butler Community College (Attachment 33); and
- Leo and Grace Leuburke (an email draft) (Attachment 34).

Documents provided by staff include the topics of study which was referred by LCC and a document reporting the activity of the Joint Committee on Children's Issues during 2007.

The Chairperson thanked those giving testimony and said the Committee is encouraged with the information presented.

Upon request by a member, a roster of the Best Team members and an evaluation of the programs will be submitted to the Committee.

The meeting was adjourned at 3:30 p.m. The next meeting is scheduled for December 19, 2008 at 9:00 a.m.

Prepared by Florence Deeter  
Edited by Martha Dorsey

Approved by Committee on:

May 26, 2009  
(Date)