Members

Rep. Robert Behning, Co-Chairperson
Rep. Rhonda Rhoads
Rep. Timothy Brown
Rep. Edward Clere
Rep. David Frizzell
Rep. Kathleen Heuer
Rep. Cindy Noe
Rep. Jeffrey Thompson
Rep. Greg Porter
Rep. David Cheatham
Rep. Clyde Kersey
Rep. Vernon Smith
Rep. Shelli Vandenburgh
Sen. Dennis Kruse, Co-Chairperson
Sen. Carlin Yoder
Sen. James Banks
Sen. James Buck
Sen. Luke Kenley
Sen. Jean Leising
Sen. Scott Schneider
Sen. Earline Rogers
Sen. Frank Mrvan
Sen. Timothy Skinner

LSA Staff:

Allen Morford, Attorney for the Select Commission
Irma Reinumagi, Attorney for the Select Commission
Chuck Mayfield, Fiscal Analyst for the Select Commission
David Lusan, Fiscal Analyst for the Select Commission

Authority: P.L. 160-2012

SELECT COMMISSION ON EDUCATION

Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Tel: (317) 233-0696 Fax: (317) 232-2554

MEETING MINUTES[1]

Meeting Date:	**July 16, 2012**
Meeting Time:	**1:00 P.M.**
Meeting Place:	**State House, 200 W. Washington St., House Chamber**
Meeting City:	**Indianapolis, Indiana**
Meeting Number:	**5**

Members Present: **Rep. Robert Behning, Co-Chairperson; Rep. Rhonda Rhoads; Rep. Timothy Brown; Rep. David Frizzell; Rep. Kathleen Heuer; Rep. Jeffrey Thompson; Rep. David Cheatham; Rep. Vernon Smith; Sen. Dennis Kruse, Co-Chairperson; Sen. Carlin Yoder; Sen. James Buck; Sen. Luke Kenley; Sen. Jean Leising; Sen. Frank Mrvan; Sen. Timothy Skinner.**

Members Absent: **Rep. Edward Clere; Rep. Cindy Noe; Rep. Greg Porter; Rep. Clyde Kersey; Rep. Shelli Vandenburgh; Sen. James Banks; Sen. Scott Schneider; Sen. Earline Rogers.**

Co-chairperson Kruse called the meeting to order at 1:05 p.m., and, after having the

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[1] These minutes, exhibits, and other materials referenced in the minutes can be viewed electronically at http://www.in.gov/legislative Hard copies can be obtained in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for hard copies may be mailed to the Legislative Information Center, Legislative Services Agency, West Washington Street, Indianapolis, IN 46204-2789. A fee of $0.15 per page and mailing costs will be charged for hard copies.

members introduce themselves, called upon Rep. Michael Karickhoff, Kokomo, to introduce the topic of public school choice, focusing on "cherry-picking" (the selection of certain students and rejection of others) by schools and school corporations.

Rep. Karickhoff explained that he had introduced HB 1081-2012, which was not heard in committee, to ensure that a public school corporation could not establish qualifications for accepting transfer students (HB 1081-2012 is attached as Exhibit A). He explained that Rep. Greg Porter had an amendment to SB 384-2012, which received wide support, that sought to accomplish the same goal (the vote sheet and amendment for SB 384-2012 are attached as Exhibit B).

Co-chairperson Behning called upon Nancy Pappas, Indiana State Teachers Association, who explained that ISTA has been opposed to cherry-picking for any reason, and has noticed that some school corporations have begun to base their acceptance of transfer students based on various qualifications, including ISTEP scores. Ms. Pappas stated that charter schools seem to have been basing acceptance of students on their qualifications and distributed charts setting forth population comparisons between charter schools and school corporations in Marion and Lake Counties. (The charts are included as Exhibit C.)

Steve Edwards, Superintendent, Marion Community Schools, stated that he has found cherry-picking of non-resident students, where admittance is based on ISTEP scores, to be destructive. In Marion, transfer students are not denied admittance for any reason except expulsions. (Mr. Edwards' testimony is attached as Exhibit D.) He would support open enrollment between school corporations based upon a first-come, first-served basis.

Frank Bush, Indiana School Boards Association, discussed parental choice and open enrollment (Dr. Bush's testimony is summarized in Exhibit E). He stated that public schools are now competing for students, and stressed the need for local control in establishing policies and standards for the acceptance of transfer students.

Rep. Mary Ann Sullivan, Indianapolis, who co-authored HB 1081-2012, stated that she has been contacted by individuals whose children were denied transfers to other school corporations because of their academic record.

Dawn McGrath, Director of Special Programs, Kokomo-Center Township Consolidated School Corporation, stated that school choice legislation was intended to allow parents choices of public schools, not to allow school corporations to choose which students will be accepted into the schools. She has found that school corporations are denying students acceptance based on the students' low likelihood of success, which she feels is inappropriate for public schools (Ms. McGrath's testimony is attached as Exhibit F).

Jeff Hauswald, Superintendent, Kokomo-Center Township Consolidated School Corporation, believes that public schools must be willing to accept all students. He supports the concepts of Rep. Karickhoff's bill, with no criteria for the acceptance of transfer students except the capacity of the school corporation. (Mr. Hauswald's testimony is summarized in Exhibit G.)

Katie Skeen, a 2012 graduate of Anderson Community Schools, stated that when her parents attempted to transfer her and her brother to South Madison Schools, they were required to interview, to submit transcripts and disciplinary records, and to write essays for admission. She was accepted, while her brother was not. She returned to Anderson, where all students are accepted.

Marisa Graham, a teacher in Anderson Community Schools, pointed out that the selective

acceptance of students in other school corporations makes teaching in an inclusive school corporation more difficult.

Rick Muir, Indiana Federation of Teachers, stated that cherry-picking by school corporations enables segregation. By allowing school corporations to select which students will be accepted as transfers, school corporations may reject students with academic challenges, behavioral problems, disabilities, and limited English skills, many of whom are minorities or poor. He feels that cherry-picking must be stopped as soon as possible.

Chuck Little, Indiana Urban Schools Association, stated that he supports Rep. Karickhoff's bill, which could be improved by Rep. Porter's amendment. He explained that all children should have opportunity on an equal basis, which selective transfer acceptance denies.

Randy Harrison, a teacher in Anderson Community Schools, stated that the problem with competition is the efforts some take to gain a competitive edge. For school corporations, this edge can include cherry-picking, which school corporations, charter schools, and nonpublic schools around Anderson practice. As a result, these schools do not have as diverse a student population as Anderson does. Anderson does not cherry-pick and works with every student who seeks to enroll.

Rep. Kevin Mahan, Hartford City, pointed out that most individuals who testified spoke against cherry-picking. While he supports school choice, he does not support cherry-picking. He stated that any school that receives public funds should not be allowed to pick and choose students, and should accept any student they have the capacity to accept. He shared a letter from Kenneth Kline, Superintendent of Blackford County Schools, which set forth his opposition to cherry-picking. (Mr. Kline's letter is attached as Exhibit H.)

The next Commission meeting is scheduled for July 31 at 1:00 p.m. The topic will be the definition of instructional dollars. Co-chairperson Behning adjourned the meeting at 3:25 p.m.

HOUSE BILL No. 1081

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-26-11-31.

Synopsis: Public school transfers. Requires the governing body of a school corporation to establish the number of interdistrict transfer students the school corporation has the capacity to accept and the date by which transfer requests must be received by the governing body. Requires the governing body to publish the transfer request deadline on the school corporation's Internet web site, and to report the date to the department of education. Requires the department of education to publish the transfer request deadlines on the department's Internet web site. Provides that if the number of transfer requests exceeds the school corporation's capacity, admissions must be determined by a random drawing at a public meeting. Provides that a governing body may not deny an interdistrict transfer for any reason other than capacity. Allows a governing body to limit transfers to ensure that a student who was a transfer student during a school year may continue to attend school in the school corporation, and to allow the siblings of a transfer student to attend school in the school corporation.

Effective: July 1, 2012.

Karickhoff, Sullivan, Messmer

January 9, 2012, read first time and referred to Committee on Education.

SELECT COMMISSION ON EDUCATION
16 JULY 2012
EXHIBIT A

Introduced

Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

HOUSE BILL No. 1081

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-26-11-31 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 31. (a) The governing body of a school corporation shall establish annually:**

(1) the number of transfer students the school corporation has the capacity to accept in each:

(A) school building; and

(B) grade level within each school building; and

(2) the date by which requests to transfer into the school corporation must be received by the governing body.

(b) After establishing the date under subsection (a)(2), the governing body shall:

(1) publish the date on the school corporation's Internet web site; and

(2) report the date to the department.

(c) The department shall publish the dates received from school corporations under subsection (b) on the department's Internet

web site.

(d) If the number of requests to transfer into the school corporation received by the date established under subsection (a)(2) exceeds the capacity established under subsection (a)(1), each timely requestor must be given an equal chance to transfer. The governing body must determine which requestors will be admitted as transfer students to each school building and grade level by random drawing in a public meeting.

(e) Except as provided in subsection (f), a governing body of a school corporation may not deny a request to transfer into the school corporation based upon the requestor's academic record, scores on ISTEP tests, disciplinary record, or disability, or any other factor not related to the school corporation's capacity.

(f) A governing body may limit new transfers to a school building or grade level to:

(1) ensure that a student who attends a school within the school corporation as a transfer student during a school year may continue to attend in subsequent school years; and

(2) allow the siblings of a transfer student to attend a school within the school corporation.

Indiana House of Representatives
117th General Assembly
Second Regular Session

MEETING DAY 31 02-29-12

Roll Call 301: PREVAILED

SB 384 Behning
School accreditation.
Porter amendment
2nd Reading Amend. #11

Yeas:	81
Nays:	11
Excused:	5
N/Voting:	3

VOTING YEA: 81

Austin	Dvorak	Lawson, L	Reske
Bacon	Ellspermann	Lehe	Rhoads
Baird	Espich	Leonard	Riecken
Bartlett	Friend	Lutz	Smith, V
Battles	Fry, C	Mahan	Soliday
Bauer	Frye, R	McClain	Stemler
Borders	GiaQuinta	McMillin	Steuerwald
Burton	Goodin	McNamara	Stevenson
Candelaria Reardon	Grubb	Messmer	Sullivan
Cheatham	Gutwein	Morris	Summers
Cherry	Harris	Moseley	Thompson
Clere	Heaton	Moses	Truitt
Crawford	Heuer	Neese	Ubelhor
Crouch	Hinkle	Niezgodski	VanDenburgh
Culver	Karickhoff	Noe	Welch
Davisson	Kersey	Pelath	White
DeLaney	Kirchhofer	Pflum	Wolkins
Dembowski	Klinker	Pierce	Yarde
Dermody	Knollman	Pond	
Dobis	Koch	Porter	
Dodge	Kubacki	Pryor	

VOTING NAY: 11

Behning	Frizzell	Speedy	VanNatter
Brown, T	Richardson	Torr	Wesco
Eberhart	Smith, M	Turner	

EXCUSED FROM VOTING: 5

Bardon	Foley	Saunders
Davis	Lehman	

NOT VOTING: 3

Brown,C	Day	Mr. Speaker

SELECT COMMISSION ON EDUCATION
16 JULY 2012
EXHIBIT B

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION ____

MR. SPEAKER:

I move that Engrossed Senate Bill 384 be amended to read as follows:

Page 4, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 3. IC 20-26-11-5, AS ADDED BY P.L.89-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. (a) The parents of any student, regardless of the student's age, or the student, after the student has become eighteen (18) years of age, may request a transfer from a school corporation in which the student has a legal settlement to a transferee school corporation in Indiana or another state if the student may be better accommodated in the public schools of the transferee corporation. Whether the student can be better accommodated depends on such matters as:

(1) crowded conditions of the transferee or transferor corporation; and

(2) curriculum offerings at the high school level that are important to the vocational or academic aspirations of the student.

(b) The request for transfer must be made in writing to the transferor corporation, which shall immediately mail a copy to the transferee corporation. The request for transfer must be made at the times provided under rules adopted by the state board. The transfer is effected if both the transferee and the transferor corporations approve the transfer not more than thirty (30) days after that mailing. If the transferor school corporation fails to act on the transfer request within thirty (30) days after the request is received, the transfer is considered approved. The transfer is denied when either school corporation mails a written denial by certified mail to the requesting parents or student at

1 their last known address.
2 (c) If a request for transfer is denied under subsection (b), an appeal
3 may be taken to the state board by the requesting parents or student, if
4 commenced not more than ten (10) days after the denial. An appeal is
5 commenced by mailing a notice of appeal by certified mail to the
6 superintendent of each school corporation and the state board. The state
7 superintendent shall develop forms for this purpose, and the transferor
8 corporation shall assist the parents or student in the mechanics of
9 commencing the appeal. An appeal hearing must comply with section
10 15 of this chapter.
11 **(d) A school corporation that accepts transfer students may not**
12 **establish transfer acceptance policies or limit student transfers in**
13 **any manner that differs from acceptance policies for students who**
14 **have a legal settlement in the school corporation.**".
15 Renumber all SECTIONS consecutively.
(Reference is to ESB 384 as printed February 27, 2012.)

Representative Porter

MARION CO. SCHOOL DISTRICT SCORES AND POPULATION COMPARISONS (IDOE)

Marion County 2009 Charter Schools (highlighted in yellow) usually enroll significantly lower proportions of limited English and special ed students.	ISTEP Pct Pass both English and Math	Limited English Students	Special Education Students
Franklin Township Com Sch Corp	68%	3%	17%
School Town of Speedway	67%	9%	17%
Beech Grove City Schools	66%	1%	18%
Charles A Tindley Accelerated Schl	**66%**	**0%**	**5%**
M S D Washington Township	66%	13%	16%
Flanner House Elementary School	**64%**	**0%**	**11%**
M S D Perry Township	64%	9%	16%
M S D Warren Township	61%	5%	18%
Irvington Community School	**60%**	**0%**	**12%**
Christel House Academy	**59%**	**21%**	**14%**
M S D Decatur Township	58%	3%	16%
M S D Lawrence Township	57%	8%	14%
M S D Pike Township	57%	14%	15%
Andrew J Brown Academy	**56%**	**1%**	**10%**
M S D Wayne Township	55%	11%	15%
Herron Charter	**55%**	**0%**	**11%**
Hoosier Academy - Indianapolis	**53%**	**0%**	**11%**
SE Neighborhood Sch of Excellence	**49%**	**10%**	**16%**
Imagine Life Sciences Acad - East	**44%**	**1%**	**8%**
Indianapolis Public Schools	43%	11%	21%
Decatur Discovery Academy Inc	**43%**	**0%**	**8%**
Fall Creek Academy	**41%**	**0%**	**17%**
KIPP Indpls College Preparatory	**37%**	**0%**	**4%**
Fountain Square Academy	**36%**	**2%**	**8%**
Stonegate Early Clg HS for Sci/Tec	**33%**	**4%**	**12%**
Monument Lighthouse Charter School	**32%**	**0%**	**10%**
Indpls Lighthouse Charter School	**30%**	**0%**	**12%**
The Indianapolis Project School	**30%**	**0%**	**19%**
Challenge Foundation Academy	**26%**	**0%**	**14%**
Hope Academy	**23%**	**0%**	**17%**
Indiana Math and Science Academy	**12%**	**6%**	**12%**
Indianapolis Metropolitan High Sch	**11%**	**0%**	**24%**

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EXHIBIT C

Charters Usually Enroll sigificantly lower percentages of Limited English and Special Ed. Students Lake County 2008-09 Data Source: IDOE (Charter Schools are highlighted)	ISTEP Pct Pass both English and Math	Enrollment-Limited English Students	Enrollment-Special Education Students
Crown Point Community Sch Corp.	79%	2%	11%
School Town of Munster	77%	3%	16%
Lake Central School Corp	76%	2%	16%
School Town of Highland	74%	4%	12%
Tri-Creek School Corporation	73%	1%	13%
Hanover Community School Corp	69%	2%	14%
Griffith Public Schools	66%	2%	13%
School City of Hobart	61%	2%	11%
Whiting School City	56%	19%	14%
Merrillville Community School	55%	3%	12%
River Forest Community Sch Corp	54%	16%	16%
East Chicago Urban Enterprise Acad	53%	3%	6%
Thea Bowman Leadership Academy	53%	0%	6%
Lake Ridge Schools	47%	4%	14%
Lake Station Community Schools	46%	10%	14%
Charter School of the Dunes	45%	0%	10%
School City of Hammond	44%	16%	16%
School City of East Chicago	43%	12%	18%
Gary Community School Corp	40%	0%	18%
Gary Lighthouse Charter School	36%	0%	7%
KIPP Lead College Prep Charter	36%	0%	7%
East Chicago Lighthouse Charter	31%	23%	8%
21st Century Charter Sch of Gary	30%	0%	9%
West Gary Lighthouse Charter	27%	0%	9%
Aspire Charter Academy	24%	0%	8%
Campagna Academy Charter School	5%	0%	20%

Stephen L. Edwards
Superintendent

Education Service Center
1240 S. Adams Street
Marion, IN 46953

Marion Community Schools

Raising the bar of excellence in education

July 16, 2012

Dear Members of the Select Commission on Education:

Thank you for this opportunity to speak today regarding what I believe to be the harmful practice of public schools being selective in accepting non-resident students from other districts based on the students' passage of ISTEP+ tests, end-of-course assessments and most likely in the future, IREAD tests.

I have been Superintendent of Marion Community Schools for the past three (3) years and have 43 years of experience as a public school educator. I have seen few things as harmful to families, children, schools and communities as public schools being permitted to be selective in accepting non-resident students solely on the students' ability to pass standardized tests. This practice is better known as 'cherry-picking'.

Marion Community Schools (MCS) is in the process of revising policies for non-resident students. With that being said, no school within our district in the past three years (during my tenure) has denied the enrollment of any non-resident student other than for reasons involving an expulsion. We firmly believe we are in the business of educating children; and, that means <u>all</u> children. Public schools receive public money. Why would we believe we are in the business to only serve those students with the ability to pass standardized tests?

MCS subscribes to the belief that all children can learn. Often times we hear educators excuse away poor school performance on the background of students. We firmly believe it is the adults in the school - the teachers, the school administrators, and the support staff, that make the difference and not the poverty level, race or ethnicity of students.

This concept of selecting and accepting non-resident students based on the passage of standardized tests is fundamentally wrong. It is contrary to the noble school choice concept and denies equity of opportunity for all students. Why can only the best students benefit from school choice? Why are students who are unable to pass standardized tests denied the opportunity to transfer to another public school if their parents so choose? The argument has been successfully made that school choice prevents students from being trapped in failing schools. Why then should only students who have failed the state's standardized tests be denied permission to transfer? The concept of cherry-picking is discriminatory.

The selective enrollment of non-resident students based on passage of standardized tests creates artificial school accountability measures. Public schools are compared against one another in the media and by the State. The comparisons can be extremely critical and brutal. Successful schools are seen as those with high passing scores on the ISTEP+ tests, high passage rate on the IREAD tests, high passage rates on the end-of-course assessment and high graduation rates. The Indiana growth model may help this somewhat.

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EXHIBIT D

However, this remains to be seen. Under the new accountability model, schools will have to demonstrate passage rates above specific levels to get initial points for performance regardless of growth.

The stakes for school accountability are very high. Schools regularly losing students who have passed standardized tests are faced with the ever-growing struggle to meet accountability goals. The schools may be better than perceived; but, have expanding student populations that struggle on standardized tests. When students with passing test scores enroll in other schools, the receiving school 'earns' an accountability boost. If a sizable number of 'successful' students enroll into one school, the receiving school will have artificially higher passage rates.

One particular school district in our area of the state announced last year that 15% of its enrollment was comprised of non-resident students. This particular district only accepts the very best students and uses the passage of standardized tests as a barometer.

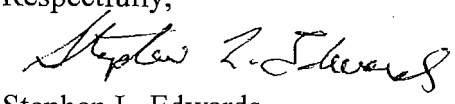
It was announced in the local newspaper that another neighboring district had received 250 students from Marion and the superintendent felt our school district needed to get its act together.

I agree we need to do a better job in Marion. But, the negative perceptions about our district and the selective acceptance of non-resident students by neighboring districts are having a profound impact on our ability to improve.

I support legislation that would eliminate public schools' selective acceptance of non-resident students based on the passage of ISTEP+ tests, end-of-course assessments and IREAD tests and would provide for open enrollment in public schools on a first-come first-serve basis (space permitting).

Thank you for your time.

Respectfully,



Stephen L. Edwards
Superintendent
Marion Community Schools

Selected Commission on Education
Public Schools Student Transfers Hearing
Monday, July 16, 2012
House Chamber
1:00 pm

Indiana School Boards Association's Position on Student Transfers and School Corporations Marketing for Enrollment

During the past decade, Indiana public schools have experienced a statewide impact of parental choice. That is: Parents may now select the school program for their children to attend that is partially or totally state supported. This open enrollment option has created a climate in which public schools compete for students with other public schools, charter schools, parochial schools, non-accredited schools and..... In other words, public school officials are now marketing their school programs to attract and/or retain students in a quasi-free market approach to education.

The competition for students began with the advent of Charter Schools (IC 20-24-1) in 2001 and has progressively expanded over the years with the updating of Legal Settlement and Transfer of Students (IC 20-26-11) in 2005. Since the initial passage of these statutes, a School Scholarship Program (IC 20-51-1) was enacted in 2009 and amended in 2011 with a Tax Deduction of $1,000 (IC 6-3-2-22) passed in 2011. Collectively, these statutes reflect the state's support of parental choice and they do foster competition among and between public schools and other education institutions. As a result, this historical background leads to the present and the potential concern that some public school programs are stretching the intent of school options for parents.

During the last few years, as public schools vied for students through bill boards, pamphlets and media advertisements many patrons and policymakers encouraged the initiatives of local school officials and complimented the creativity. There have also been encouragements to increase the competitive efforts because these only strengthen the quality of public education. So, there should not be any issues with school officials accepting the challenge to communicate the effectiveness of their school program and to encourage non-legal settlement students to enroll, especially since the decision to enroll in another school corporation is solely the parent's choice provided their child has an acceptable academic and behavioral record.

Although marketing the school program is not practiced by every public school, it has become a necessity for some public schools given the growth of alternate education programs in their geographical boundaries. And, the need to advertise the education program and tout the local schools' successes is a direct reflection of funding and the fact that the "money follows the child," which is exactly how the non-public schools attract students. Therefore, because competition is the method of enrolling, retaining and thus educating students that is practiced by all education institutions, the public schools should not be indicted for using the practice.

If the contention is that public school officials are being selective by accepting some transfer requests and denying others, this is a necessary practice since some students who do not have legal settlement may be requesting a transfer because of their behavior and thus unless he/she

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EXHIBIT E

would behave it would reflect negatively on the receiving school. But on another issue, public schools are being judged as successful based on state test scores and school officials are acutely aware that the label on their school is a product of student academic success. So, if academically talented students can be marketed to enroll, then the parent's choice to select their school benefits both the student and the school in their view. Hence, competition for results and school funding to provide programs is achieved by an effective marketing campaign.

The Indiana School Boards Association supports the local decisions of school boards that focus on student achievement and on enhancing the positive image of their schools, which will benefit the delivery of public education locally and potentially statewide.

Frank A. Bush
ISBA Executive Director
7/3/2012

KOKOMO-CENTER TOWNSHIP CONSOLIDATED SCHOOL CORPORATION

DR. DAWN MCGRATH, DIRECTOR OF SPECIAL PROGRAMS
dmcgrath@kokomoschools.com

July 16, 2012

Dear Members of the Select Commission on Education,

I come to you from the perspective of serving as an educator for 15 years, working for the IDOE for ten years, teaching educational law and practice at the university level for three years, and currently serving as a school administrator for the past two years. More importantly, I am the mother of two sons for a lifetime.

This means that I have had the opportunity to understand firsthand the importance of making critical family decisions, the experience of belonging to a community, the dedication of developing a school community... and the knowledge of how legislation crafted passionately to improve the lives of citizens can be interpreted, regulated, and locally implemented **in ways never intended**.

For example, the concept of "School Choice" is fundamentally a noble principle, broadly valued. Legislation was promulgated with the intention of providing **families** opportunities to select the best educational situations for their children. It was intended to infuse educational systems with free market principles that encouraged excellence through improved instructional practice. It was intended to give **families choice**. It was not intended to give **public schools the choice to exclude** particular students from their educational communities.

If you are a traditional sports fan, you appreciate the importance of the draft. The composition of the teams is very significant to the statistical outcomes. Conversely, public schools are brutally compared against each other with the assumption that the metrics of A-F measure the quality of the staff and the instruction provided. The validity of this assumption is fatally flawed if schools systematically reject students that may be more challenging to educate. In this way "**school choice**" is only provided to "**choice students**". In effect, "school choice" means that the **schools** can choose which children are **statistical liabilities** and **take away their right to choose**.

Unlike exclusive establishments, public schools have a sovereign responsibility to serve the public. In Kokomo, we welcome children throughout the year, even after their attendance has been reported and cashed by neighboring school corporations. From a business perspective, this makes sense. When families are respected and find success, they will be there for the next count. But more importantly, this is our policy because we believe **families should have a choice regardless of academic achievement, athleticism, disability or disadvantage**. I have had dozens of conversations with families who have been rejected or mistreated by other school corporations, most often because of academic challenges. We welcome all children into our school community if for no other reason than **it is the right thing to do**.

Please accept my support for policy that would disallow this type of discrimination by public school districts and encourage the principle of school choice as intended.

Respectfully,

Dawn McGrath, Director of Special Programs
Kokomo-Center Consolidated School Corporation

1500 S. WASHINGTON STREET, POB 2188 KOKOMO, IN 46904-2188 PHONE 765 455-8000 FAX 765 455-6851

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16 JULY 2012
EXHIBIT F

KOKOMO-CENTER TOWNSHIP CONSOLIDATED SCHOOL CORPORATION

MR. JEFF HAUSWALD, SUPERINTENDENT
jhauswald@kokomoschools.com

Board of School Trustees

Marsha Bowling
President

Joe Dunbar
Vice President

Crystal Sanburn
Secretary

Cristi Brewer-Allen
Trustee

Harold Canady
Trustee

Wayne Luttrell
Trustee

Karen Sosbe
Trustee

July 16, 2012

Dear Members of the Select Commission on Education,

Please accept my support for policy that would limit selective student acceptance practices by public school districts in Indiana. This matter has been discussed with the members of my Board of School Trustees; and collectively, we support legislation that prohibits "cherry picking" of students requesting transfers.

Kokomo-Center Schools has an open-door policy with open enrollment for all students unless they currently are serving a suspension or expulsion.

Negative ramifications of current school choice practices:

- Students who are failing academically – for whom a transfer would be most beneficial – are denied, while those students who are having academic success at their current school are allowed a transfer.
- Selective practices introduce the potential for discriminatory admission (whether intended or not).
- Students and families should know up front if a school is accepting students before conversations take place regarding the transfer. Such conversations and assumed transfers, that are later denied, are unhealthy and damaging for a family to experience.
- School accountability often has been negatively impacted for schools because of "cherry picking." New growth model processes for school performance should help this situation.

Recent comments/actions made by area superintendents speak to some of the concerns that justify consideration for legislation that limits such selective practices:

- Districts unwilling to accept students who have not passed ISTEP+ since admission of these students would be "willingly accepting other district's problems."
- Districts accepting only students who are "like our students."
- Districts requiring potential elementary transfer students to sit down for a lengthy interview to review grades, ISTEP+ scores, etc.

School choice in public schools should exist only if all students have the opportunity to attend any given school when practical conditions are present (such as enough space). School choice must ensure that all students do, in fact, have the same choices. In regards to disciplinary concerns, protocols already exist that allow for suspended and expelled students to be denied admittance.

Mission Statement

Our mission is to provide a quality education for all students in a safe and secure environment.

Therefore, I support legislation that:

- Provides schools the opportunity to declare their district, school, or specific grade levels "open" or "closed" for outside enrollment with open districts accepting all qualified students without denial for past failure of ISTEP+, IREAD, and other similar qualifications.
- Gives school districts choice in accepting or denying transfers while protecting individual student rights to attend any public school that has open enrollment.
- Strengthens language that will likely decrease, or eliminate, any discriminatory practices related to the public-to-public school transfer issue.

Respectfully,

Jeff Hauswald
Superintendent

1500 S. WASHINGTON STREET, POB 2188 KOKOMO, IN 46904-2188 PHONE 765 455-8000 FAX 765 455-6851

SELECT COMMISSION ON EDUCATION
16 JULY 2012
EXHIBIT G

Developing A Child . . .

BLACKFORD COUNTY SCHOOLS

0668 West - 200 South
Hartford City, Indiana 47348-9732
Ph: 765-348-7550 Fax: 765-348-7552
www.bcs.k12.in.us

To the Select Commission of Education
Attention: Chairman Behning and Chairman Kruse

July 16, 2012

Gentlemen:

First, I fully support the right of parents to send their children to any school which will provide them with a quality education. I do not feel that any child should be forced to receive an inferior education because of his/her residence. Although I believe it is unprofessional, I do understand why some school districts advertise the merits of their educational program either by placing billboards in neighboring districts or by sending letters to parents in those districts. However, I am opposed to neighboring school districts only agreeing to take certain students.

I am the superintendent of a school corporation with 1800+ students. We have a declining school population as we had approximately 4400 students in the mid 1970's. Our county and surrounding counties continue to lose major employers. Thus, many residents have been forced to relocate in order to secure employment. Obviously, our school system and community have endured several financial challenges during the most recent recession. Yet, I believe our community has come closer together during this time. They have been very supportive of our school system, and our students have continued to improve academically as demonstrated by higher ISTEP+ scores and a graduation rate in excess of 90%.

I find it disheartening that a neighboring school district has succeeded in acquiring over 75 of our best students during the last two years. This district only took our best students. They interviewed all families and students and did not accept any students who had not passed ISTEP+ or who had an IEP. The financial impact of this to us exceeds $400,000 annually. However, the academic impact also has an adverse impact upon us. We are graded upon the performance of our students, and I do not disagree with this. Cherry picking of our best students makes it ever more difficult to be successful and I believe this is wrong. As I stated earlier, I fully support the right of parents to send their children to any school which will provide them with a quality education. I do not support neighboring school systems that pick and choose which students they will take. What about the rights of those parents who have a low performing child or one with an IEP? I am certain this was not the intent of our General Assembly.

I respectfully request that neighboring school systems should be required to accept all children, not just the best. All children deserve the right to quality education.

Sincerely,

Kenneth R. Kline
Superintendent
Blackford County Schools

SELECT COMMISSION ON EDUCATION
16 JULY 2012
EXHIBIT H

cc: Representative Kevin Mahan