

Testimony for House Standing Committee on Education: HB 2292

February 20, 2015

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Chairman Highland, Vice Chair Lunn, Ranking Minority Leader Winn, and members of the House Standing Committee on Education, thank you for the opportunity to testify and participate in a discussion regarding HB 2292. I want to begin by commending each of you for your dual efforts of focusing on what continues to happen at the federal level, while trying to resolve the daily issues at home, in Kansas. Encouraging fellow Republicans to prioritize the reauthorization of the Elementary and Secondary Education Act (ESEA) in the 114th Congress is crucial, as it is the cornerstone of federal education policy; the reauthorization will provide a long term vision and stability for education.

My role in Kansas, now that I retired in July 2014 from Goddard, USD 265 as Assistant Superintendent for Student Affairs (and that of 35 years to public education), is that of being the Kansas Executive Director for ASCD, the Association for Supervision and Curriculum Development. I help provide a voice for curriculum and assessment leaders across Kansas, help provide *Just in Time* learning opportunities for educators as a non-profit organization, as well as, being involved on the national scene. I spent the last week of January in Washington, D. C. advocating for the reauthorization of ESEA.

My take away from Capitol Hill is that we are closer than ever (at least within the past seven years) of seeing a reauthorization; the possibility may become a reality over the next 30 days. I met with Senator Moran and Congressman Pompeo, as well as Senator Roberts' staff (with the snow delaying business the morning of my appointment and the Education committee hearings on Fixing NCLB started, he was short on time). However, Senator Roberts currently serves on the US Senate Committee for Health, Education, Labor and Pensions and remains well informed, as does his staff about the urgency to reauthorize ESEA. Senator Moran and Congressman Pompeo are also well aware of and understand the need to address the reauthorization, taking the creation of rules out of the hands of the US Secretary of Education, Mr. Arne Duncan.

For the time being, I believe we could easily place a hold on HB 2292 or in layman's terms, take no further action on HS2292. If the reauthorization occurs within the next month or two both Kline's and Alexander's version of the reauthorization give a majority of the authority and flexibility back to the states. Personally, Alexander's gives more flexibility to the states, so I'm more in favor of his proposal as of this date, but I'm sure concessions will have to be made in both chambers before the reauthorization is possible.

After the reauthorization of ESEA, it will be absolutely necessary to create the Standards Study Commission (HB 2028/SB33) and re-evaluate where Kansas stands, prioritizing what needs to happen. In the meantime, if we push ahead with HB 2292, prior to the reauthorization, there are implications that will not be easy to undertake, nor necessarily beneficial to the betterment of Kansas:

1) by rescinding the ESEA waiver, it sounds like we are rejecting then all federal school monies, which we are not in a position to do at this time, due to budget deficits already, or

2) we lose our waiver, which means, a) we would be forced to go back to the former NCLB and AYP rules where we have to show 100% of students proficient, as that goal was to be accomplished by 2014; b) the majority of schools will be on improvement, noted as failing schools across the nation; c) we throw away the past and most of the current contracted monies to KUs CETE for test development. They would need to recreate similarly looking old/former tests with new test items that work with the newer system, which now must include capabilities of testing on mobile devices; and d) the most devastating implication, which I have heard from Oklahoma superintendents, would be the past four-five years of local staff development efforts and training costs associated to create an educational workforce aligned to the [KS] College and Career Readiness standards, not to mention the costs spent on adopting curriculum aligned to the new instruction; the older/former standards that Oklahoma reverted to did not address college and career ready; neither do the former KS standards.

Oklahoma has been in a frenzy developing standards that would suffice, so they do not lose federal funding and have “settled” for a temporary hybrid PASS—a combination of older standards and common core, being hopeful they can meet the rigor required, as well as college and career readiness component. Do we really want to follow in the footsteps of Oklahoma and other states like South Carolina? Do these two states have a proven record with existing evidence based performances? Do they really have the best, next generation accountability model for our Kansas education system? An Oklahoma Department of Education person was quoted as saying, that they would have to “cobble a new test together” to meet the federal deadline (Dobson, 2014). They are scrambling to meet federal requirements by 2016. They can’t afford to lose federal funds, nor can Kansas.

To expand on some of the potential risks, HB 2292 has far reaching consequences:

- With the loss of the waiver we are at a minimum, at risk of losing \$151.3 million in Title monies and Career & Tech Ed monies: Title I (\$119 million); Title II (\$20.1 million); Title III (\$3.5 million); Title IV (\$6.8 million); and CTE (\$1.9 million) or depending on legislative actions, we may be at risk of losing all of our Kansas federal monies, which total approximately \$459.1 million (includes all other federal monies, special education, and food service) (Neuenswander, 2015).
- With the loss of the waiver, we revert back to the old NCLB system:
 - Kansas would automatically revert back to the former 2009 standards for math and reading until newer standards could be written and approved with the appropriate rigor and college and career readiness levels. The former 2009 standards were based on the National Council of Teachers of Mathematics (NCTM) standards, so they would have to be rewritten.
 - What about the new hires/teachers since summer 2010? Case in point: Nearly 30% (99/344) of the certified teachers (excludes special education teachers) hired since June 2010 (Hersh, 2015) in Goddard, USD 265 do not have knowledge of the former standards. Goddard, USD 265, is considered a stable, suburban school district with lower turnover than its neighboring Wichita USD 259. Who will pay the staff development costs to retrain the educational workforce? Have we considered the replacement costs of curricular resources and materials that will be needed in the

interim aligned to the former standards until the to-be-determined new standards are written? And then, the costs to train staff again and purchase resource materials for the to-be-determined new standards.

- Spring 2014 state assessment student results are not available, as it was deemed invalid, so the last round of testing using the former 2009 standards would probably be the best data (from 2010) to use to work with in establishing priority schools. The Kansas schools would be labeled as failing schools, and federal monies would be restricted in use for those considered “priority” schools. Approximately 20% of the federal monies would have to be used for transportation (parents have the right to have their children transferred to higher performing schools) and tutoring expenses, which usually results in layoffs as has been past state practices who have been in this situation.
- Schools who do not meet proficiency for reading and math with 100 percent of their students hitting proficiency benchmarks for five consecutive years would probably be forced to restructure as noted in the NCLB documentation, such as replacing the principal and half the teaching staff or closing the school and sending students to better performing schools, or converting the school into a charter.
- The state would be given two years to determine what the new state standards would look like, with the hope of passing the rigor and college and career ready definitions requirements.
- We lose the state \$4 million per year since 2010 and now the additional \$2 million from federal (current \$6 million per year) monies that have been used to create an assessment and accountability system for the KSCCR standards; aside from the contractual payoff to CETE, we start over recreating an item bank of test items aligned to the former standards. And then, recreate again once the new to-be-determined standards are written and approved.
- Other considerations from HB 2292:
 - The former math standards were aligned to national NCTM standards, which sounds like it would be an issue as written in HB2292.
 - Costs to write new curriculum for each of the areas noted (Oklahoma Department of Education estimated \$62,000 for reading and math only).
 - Costs to retrain staff in reading and math only (\$2.5 million—Oklahoma estimate)
 - Costs to hire additional staff (\$3.8 million—Oklahoma estimate)
 - Reconsider purpose and vehicle for appropriate teacher evaluation system and training that is in year two of implementation.
 - Loss of SB155: Kansas Career Clusters and Pathways are based on the National Career Clusters Framework (<http://www.careertech.org/career-clusters>) therefore would be null and void with further consequences of no issuance of industry recognized certifications.
 - Loss of AP Courses: Student’s preparing for college will have to pay for more college classes, rather than having the opportunity to quiz out due to dropping AP classes (again, following Oklahoma (HB1380 vote was 11-4 on 02/17/2015) with

the most recent action. Please look at the hotbed of controversy we are witnessing with other states (e.g. Colorado)

- Loss of quality standards: Which of the following KSCCR standards is not appropriate for your son or daughter? Or is it really worth the state's time trying to determine a better way to state the following standards? Criticism exists in how similar a state's new standards read to common core. The hybrid format is working and is more rigorous than the old/former standards.
 - **Gr 4 Reading Literature:** Describe a character, setting, or event in a story or drama, drawing on specific details in the text (e.g., a character's thoughts, words, or actions).
 - **Gr 4 Reading Literature:** Determine the meaning of words and phrases as they are used in a text.
 - **Gr 4 Math:** Compare two fractions with different numerators and different denominators, using $>$ $<$ $=$ symbols
 - **Gr 8 Math:** Understand and apply the Pythagorean Theo-rem.
 - **HS government: Principles and Foundations of the U.S. Constitution**
 - How much freedom do we want? (Standard 1)
 - How can I use my knowledge and exercise my rights and responsibilities as a citizen to improve the country and community? (Standard 2)
 - Which form of government is the best? (Standard 3)

Let's give the system a chance to work in Washington, D.C. as well as in Kansas. Please be ever mindful and hopeful that we as the Republican majority can work together pushing for the reauthorization of ESEA, giving the power and flexibility back to the states. Once reauthorization occurs, we can rework our vision for Kansas. The recently hired Kansas Commissioner of Education is travelling the state, collecting data: listening as Kansans describe the ideal 24-year old, defining student success, describing appropriate measures to evaluate progress, and talking about mutual responsibility. Collectively, we can pull together the state's leading experts and discover the possibilities for Kansas. Currently, we have hybrid standards that are both rigorous and college and career ready. The strengths of the current KSCCR standards are the anchor standards that are consistent K-12, the integration of standards across curriculum areas, and the embedded, proactive use of current technologies. The "Anchor Standards for Literacy Learning" were added by the Kansas Department of Education (KSDE) as part of the KS 15% for English Language Arts. The purpose of the Kansas 15% is to emphasize concepts and teaching philosophies that are important in Kansas. In addition, local districts have added their own standards, which are important, locally.

- The current KSCCR standards are familiar to teachers across the state as well as in other states, having just completed two days of training with experts from Kentucky, along with more than 330 teachers on the topic of teaching the writing process/on-demand writing across content areas (February 18-19, 2015; KASCD, Wichita). I urge you as leaders responsible for a next generation of Kansans to make wise and prudent decisions. Please do not make "cobbled" decisions based

on fad, fear, peer pressure, or party lines, but on what is best for Kansas. Again let's push for reauthorization at the federal level, then build Kansas. To quote my great, great grandfather from 1854, let's avoid Kansas [territory] being a hotbed of controversy (Whittemore, 1959).

Again, on behalf of the more than 600 Kansas ASCD members, I appreciate the opportunity to speak as an opponent of HB 2292, sharing the views and recommendations on specific provisions that are important to Kansas ASCD and its members.

Please feel free to contact me if you wish to visit further.

Sincerely,

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