

Approved February 29, 1988  
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Senator Joseph C. Harder at  
Chairperson

1:30 ~~am~~/p.m. on Tuesday, February 23, 1988 in room 123-S of the Capitol.

All members were present except:

Committee staff present:

Mr. Ben Barrett, Legislative Research Department  
Ms. Avis Swartzman, Legislative Revisor's Office  
Mrs. Millie Randell, Secretary

Conferees appearing before the committee:

SB 604 - Educational excellence grant program, educational system enhancement plans, performance-based pay plans (D. Kerr et al.)

Proponents:

Senator Dave Kerr, co-sponsor of SB 604  
Dr. Sam Ulsaker, Superintendent of Schools, USD 309, Nickerson-South Hutchinson  
Mr. Jack Parker, Superintendent of Schools, USD 313, Buhler  
Dr. Richard M. Robl, State Board of Education

Opponents:

Mr. Craig Grant, Director of Political Action, Kansas-National Education Association

After calling the meeting to order, the Chairman recognized Senator Dave Kerr, co-sponsor of SB 604. Senator Kerr stated that the expectations of SB 604 are intended to do something more for the benefit of education other than to just maintain the status quo. Senator Kerr distributed copies of the following attachments before proceeding with his comments regarding SB 604: Total New Expenditures for Regular Education-FY 89 (Governor's Plan), Attachment 1; 1986-87 Elementary-Secondary Regional School Finance Statistics, Attachment 2; and Two Percent for Excellence, Attachment 3. Senator Kerr stated that the reason he endorses SB 604 is that he feels it would have a great impact on educational improvements, primarily because of the manner in which it is funded. Rather than a plan directing a district, he said, it is up to the district to determine its own methods of application for educational system enhancement or performance-based pay plans, or both. The educational excellence grant program, which SB 604 would create, he continued, would be funded with annual appropriations from the state and would be matched dollar for dollar by the districts participating in the program. Senator Kerr projected that the initial program would require approximately \$10million, which would be divided into two pools of \$5million each, with local districts matching the state funds.

Dr. Sam Ulsaker, Superintendent, USD 309, related that there is a plan for improvement in his district, and SB 604 could prove to be very beneficial toward its implementation. The superintendent pointed out that school districts today continue to benefit from many innovative programs begun in the 1960's but felt that there has been some neglect in innovation since that time. Senate Bill 604, he added, should offer an encouragement for innovation as well as hold districts accountable for the results that should occur as a result of the enactment of SB 604.

The Superintendent of USD 313, Mr. Jack D. Parker, described SB 604 as an incentive to implement school district programs more rapidly. He pointed out how districts' goals can vary widely depending upon their own situations. He also said that SB 604 should help to improve the image of how people look at schools today. Mr. Parker's testimony is found in Attachment 4.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

room 123-S, Statehouse, at 1:30 ~~a.m.~~/p.m. on Tuesday, February 23, 1988.

Dr. Richard M. Robyl, State Board of Education, stated that he thought most districts have research and development programs in place and enactment of SB 604 would be one way to help accelerate these programs. Dr. Robyl's testimony is found in Attachment 5.

In responding to questions, Mr. Parker answered that his district could use money it presently has, plus matching funds. He also replied that he believes all school districts have a plan on their shelf now waiting for such a bill to pass in order to put the plan into action.

Dr. Ulsaker acknowledged that some funds have been set aside in his district's budget for the purposes as described in SB 604. Passage of SB 604, he continued, would allow his district to double its efforts to get some programs implemented. He said his district currently has a line item budget for imbursement special projects that might be undertaken by the district and that they have a special scale to use to help determine a project's financial cost.

Testifying in opposition to SB 604, Mr. Craig Grant, Kansas-National Education Association, stated that his opposition is not based on the philosophy behind SB 604 but that his concern deals with certain provisions which may actually work to the detriment of improved education in this state. Mr. Grant mentioned the source of funding as being one of the reasons for his opposition. (Attachment 6)

Following testimony by Mr. Grant, the Chairman said that due to lack of time he is asking the remaining conferees who had come to testify on SB 604 to return tomorrow. They replied that they or another representative of their organization would be able to comply with this request.

The Chair adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 123-S DATE: Tuesday, February 23, 1988

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
HAROLD PITTS	TOPEKA	KRTA
Richard M. Robl	Hutchinson	State Board of Education
Connie Huesel	Topeka	St Bd of Ed
Craig Grant	Topeka	H-NEA
Jay Cole	Topeka	K-NEA
Nancy Brothers	Lawrence	K-NEA (USD 341)
Laurie Heath	Ozawie	K-NEA (USD 341)
Bruce Cooper	Emporia	Cooper #, ASSSO
Merle Hlee	Topeka	KACC
Mike Haberkorn	Topeka	KSNT-TV

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 123-S DATE: Tuesday, February 23, 1988

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Chris Graves	Topeka	ASK
Sandy Adams	Ft. Leavenworth	K-NEA
Tom Kubs	McLouth	K-NEA
Brenda Shaw	Tonganoxie	K-NEA
Shirley Adams	Topeka	USA
Jack D. Parker	Buhler	USD 313
Lee D. Greenwood	Topeka	K S D E
Richard Funk	"	RAJO
Billa Highfill Scott	Topeka	USA
Jim Coyle	Wichita	KFT
Carolyn Keh	Topeka	KFT
Mary Ellen Simon	Topeka	Ls. of Women Voters

TOTAL NEW EXPENDITURES FOR  
REGULAR EDUCATION - FY 89 (GOV'S PLAN)

General Aid	\$24,850,000
Income Tax Rebate	21,000,000
Local Property Tax	<u>24,600,000</u>
	\$70,450,000

1986-87 ELEMENTARY-SECONDARY  
REGIONAL SCHOOL FINANCE STATISTICS

<u>State</u>	<u>Average Teacher Salary</u>	<u>Per Pupil Expenditure</u>	<u>Pupil/Teacher Ratio</u>
KS	\$23,427	\$4,150	13.7
IA	22,603	3,740	14.8
OK	22,060	3,082	15.1
MO	23,468	3,345	14.7
NE	22,063	3,437	14.3
CO	<u>27,387</u>	<u>4,107</u>	<u>16.7</u>
Six State Average	\$23,501	\$3,643	14.9
National Average	\$26,551	\$3,983	16.5

TWO PERCENT FOR EXCELLENCE

A plan to target money toward improvement in elementary and secondary education. Create a pool of funds equal to two percent of SDEA (each year). Divide this pool into two 1% pools as follow:

1) 1% for Innovation and Improvement

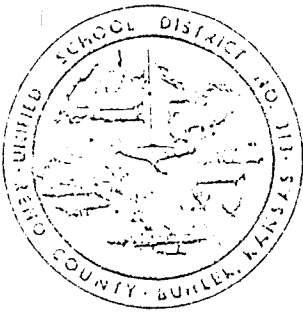
USD's will decide upon one or more top priority innovation(s) or improvement(s) they hope to make. They will gain access to the state pool for innovation and improvement by preparing a plan subject to the following rules:

- Available to any school district regardless of size or wealth.
- Maximum award =  $1.10 \times \text{FTE students in USD} \times \frac{\text{Pool state total}}{\text{FTE state total}}$   
(Assumes 10% of schools will not participate)
- District must match state money dollar for dollar.
- Plan must be submitted to the State Board of Education for approval.
- State Board can contract to fund a plan for up to three years (subject to appropriation).
- Plan must include a means to evaluate its success or lack of success.
- State Board will decide which plans to fund using the following criteria:
  - \*How well do the objectives of the proposed innovation define the educational needs of students?
  - \*How well will the proposed methods and materials accomplish the objectives of the grant?
  - \*How well will the achievement of the objectives be assessed?
  - \*What is the potential for applying the results of the innovation or improvement in other school districts?

2) 1% for Performance Pay

- Available to any USD regardless of size or wealth.
- Maximum award =  $1.15 \times \text{FTE students in USD} \times \frac{\text{Pool state total}}{\text{FTE state total}}$
- USD must match state grant dollar for dollar.
- State Board of Education will approve plans.
- Before a plan can be sent to the State Board for approval, must receive the approval of a majority of the teachers in the district.
- Plan must define their objectives.
- Plan must clearly articulate the evaluation criteria for receiving a performance award.
- Plan must include an appeal procedure for any person who believes he or she was unfairly denied an award of performance pay.
- Plans must include a means for evaluation of their effectiveness.
- The State Board can enter into contracts to fund plans for up to three years - subject to appropriation.
- In addition to cash awards, performance awards can include but are not limited to:
  - \* extended contracts
  - \* paid tutoring
  - \* staff assistance
  - \* teacher development work
  - \* curriculum planning work
- For school districts which desire to implement a performance pay plan, but who lack the resources to design a plan, the State Board shall provide assistance in designing a suitable plan.





# Buhler USD 313

Burkholder Administrative Center 406 West 7th Buhler, Kansas 67522 316-543-2258

*Jack D. Parker*  
Superintendent of Schools

*John C. Keith*  
Assistant Superintendent of Instruction

*Robert Smith*  
Business Manager/Clerk of the Board

February 23, 1988

TO: Senate Education Committee  
Senator Joseph C. Harder, Chairman

FROM: Jack D. Parker, Superintendent  
Buhler USD 313 (Tel. 316-543-2258)  
Buhler, KS 67522

SUBJECT: Senate Bill 604

I am particularly interested in the "Education System Enhancement Plan" component of Senate Bill 604.

1. The proposal provides incentives to get programs moving and at the same time requires a local commitment to program improvement.
2. The formulation of goals and needs, priorities and objectives are to be determined locally.
3. The scope of the enhancement plans is broad and provides the flexibility to meet the identified needs. Activities could include upgrading curriculum, research, planning, special projects for exploration or implementation of innovative procedures, improving instructional materials, staff development and others.
4. Requires state board approval, monitoring, evaluation and reporting. Provides for technical advice and assistance.
5. Provides for planning and simple application process similar to some of the federal programs, whereas, a district is not required to have a trained grant writer in order to comply.
6. Provide the legislator with easy access to information on the specific programs and activities planned. Visibility and accountability for these programs should be easy to maintain.

Attachment 4, 2/23/88

Board of Education

*Jim Martens*  
President

*Leon Gregory*  
Vice-President

*Dottie Hill*  
Treasurer

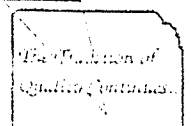
*Wayne Anderson*

*LeWayne Bartel*

*Daryl Bowser*

*Leroy Gattin*

*Lynn Lackey*



Senate Bill 604  
February 23, 1988  
Page 2

All school districts should be able to qualify for enhancement plans as proposed in Senate Bill 604. I believe all school districts have plans for improvement on their shelves waiting for the availability of funding. I believe Senate Bill 604 will provide the necessary incentive to put some of these plans into action.

I encourage your support of Senate Bill 604.

Thank you,

Jack D. Parker

# Kansas State Board of Education

Kansas State Education Building

120 East 10th Street Topeka, Kansas 66612-1103



Mildred McMillon  
District 1

Connie Hubbell  
District 4

Bill Musick  
District 6

Evelyn Whitcomb  
District 8

Kathleen White  
District 2

Sheila Frahm  
District 5

Richard M. Robl  
District 7

Robert J. Clemons  
District 9

Paul D. Adams  
District 3

Marion (Mick) Stevens  
District 10

February 23, 1988

TO: Senate Education Committee  
FROM: State Board of Education  
SUBJECT: 1988 Senate Bill 604

My name is Richard Robl, State Board of Education Member from District No. 7, South Central Kansas. I appreciate the opportunity to appear before the Committee on behalf of the State Board.

Senate Bill 604 authorizes Kansas school districts to participate in the educational excellence grant program through development and maintenance of educational enhancement plans or performance-based pay plans or both such plans and permits districts to apply for grants of state funds to supplement amounts expended for the development and maintenance of one or both such plans.

In order to be eligible for a grant of state funds for the development and maintenance of educational enhancement plans, a board is required to include an evaluation procedure designed to measure its effectiveness in improving the educational program of the district. In addition, the school district is eligible for a grant of state funds for the development and maintenance of performance-based pay plans provided the plan has been approved by the State Board of Education. Such plan must include a procedure by which professional employees who believe they have been arbitrarily or unfairly denied performance-based pay plans may appeal such denial.

The State Board is required to adopt rules and regulations for the administration of Senate Bill 604 and shall:

1. Establish standards and criteria for reviewing, evaluating, and approving educational system enhancement plans, performance-based pay plans, and applications of school districts for grants;
2. approve for the award of grants of state funds those plans which exhibit potential for successful effectuation of the purposes of the educational excellence grant program;
3. be responsible for awarding grants of state funds to districts which are maintaining approved educational system enhancement plans or performance-based pay plans or both such plans; and

Attachment 5, 2/23/88

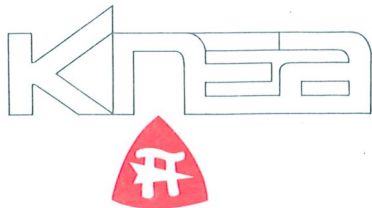
4. request of and receive from each school district which is participating in the educational excellence grant program reports containing information with regard to the overall effectiveness of the plan or plans, developed and maintained by the school district, in meeting the purposes of the program.

Under Senate Bill 604, the Legislature is required to appropriate two percent of the amount appropriated in each school year for school district equalization. Two percent of the amount appropriated is estimated to be \$9,620,604 (based on Governor's recommendation) assuming all school districts choose to participate. If only 50 percent of the districts choose to participate, the amount would be reduced by one-half.

Senate Bill 604 falls within the direction of the Strategic Plan adopted by the State Board of Education. This plan includes within its objectives the local determination of curriculum outcomes needed for all students and the identification of innovative programs that increase teacher productivity and satisfaction.

The State Board is quite concerned about the recent decrease in Kansas' national ranking in teacher salaries. Due to the state's fiscal position, our ranking has dropped from 29th to 33rd. We believe a program of this nature would be of assistance in improving teacher salaries.

The State Board of Education recommends Senate Bill 604 be reported favorably for passage provided the money to fund the bill is not taken from other educational programs.



Craig Grant Testimony Before The  
Senate Education Committee  
Tuesday, February 23, 1988

Thank you, Mr. Chairman. Members of the Committee, my name is Craig Grant and I represent Kansas-NEA. I appreciate this opportunity to visit with you about SB 604.

It is difficult to speak in opposition to "educational excellence grants", which is an attempt to improve our schools. Our concerns are not based on the philosophy behind SB 604. Our concerns about SB 604 deal with certain provisions which may actually work to the detriment of improved education in this state.

Our first problem is with the source of the funding. We believe that taking 2% from the existing school district equalization money is not a good idea when we believe the formula is not adequately funded now. Taking equalization money and distributing it on a project basis can be nothing but a disequalizing factor. We are doing enough disequalizing things now with our SDEA that we need not do anything more. With the great shifts in school aid this year, we need to find \$15 million new dollars for the formula as well as money for special education. We just cannot afford to take money from this fund.

The second area of concern surrounds the "performance-based pay plan" as described on page 2 of the bill. We are not ready in this state for a merit system of any kind until we have brought all teachers' salaries up to the national average. Then such plan could (as they could now) be

negotiated between the boards and the teachers' associations in each school district.

A third concern is the requirement that the board must transfer general fund money to this newly created fund to help pay for the project. We are trying everything we can presently to preserve money in the general fund for salary and other purposes. This drain on the general fund is especially bothersome when we are only allowing 2% increases in many school budgets.

Subsection (f) on page one sounds much like our building-based education plan which we hope to pilot in four sites as per SB 568. The advantage of SB 568 is that the state would reimburse the district for most of the expenses during the experimental two year period while SB 604 forces the local board to fund 50% of the experimental projects from the general fund.

Kansas-NEA appreciates the attempt to add innovative ideas into our schools. We believe, however, that the approach in SB 604 is not the proper one. Next year when we rewrite (or readjust) the SDEA formula, we can look at introducing elements into the school finance picture which will encourage the type of innovation described in subsection (f) of SB 604.

Kansas-NEA would oppose SB 604 at this time and in its present form. Thank you for listening to our concerns.