

Approved: 3-24-95
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairman Rochelle Chronister at 3:30 p.m. on March 13, 1995 in Room 519-S of the Capitol.

All members were present.

Committee staff present: Ben Barrett, Legislative Research Department
Dale Dennis, Department of Education
Avis Swartzman, Revisor of Statutes
Lois Thompson, Committee Secretary

Conferees appearing before the committee: Representative Tony Powell
Jim McDavitt, Kansas Education Watch
Mrs. Kathleen White, Chairman, State Board of Education
Gerald Henderson, United School Administrators
Sue Chase, Kansas National Education Association
Dr. Steven Jordan, Executive Director, Board of Regents
Mark Tallman, Kansas Association of School Boards

Others attending: See attached list

Hearings opened on **HCR 5021, a proposition to revise article 6 of the Constitution of the State of Kansas.**

Representative Tony Powell, one of the principal bill sponsors, spoke in support of **HCR 5021**. He stated "I propose this measure not because I necessarily want to eliminate these boards, but to begin a new dialogue in this committee and in the state over the future of education policy and the institutions that make and manage it. . . . I believe a healthy process of examining the effectiveness of our current education institutions could be undertaken." (Attachment 1)

Representative Powell addressed questions from the committee.

Jim McDavitt, Director of Kansas Education Watch, appeared in support of **HCR 5021**. He stated, "the statewide average on math assessments today is less than 40%, even with questions asking for such things as the approximate number of quarters there are in \$4." The current system has failed; "a unionized, autonomous, fourth branch of government is the worst of all possible worlds." (Attachment 2)

The floor was opened to questions from the committee.

Kathleen White, Chairman of the State Board of Education, testified in opposition to **HCR 5021**. The State Board of Education has made a concerted effort in the last few years to be responsive to and cooperative with the Governor and Legislature to improve the Kansas school systems to meet the needs of students, communities, higher education and business and industry. New cooperative efforts have been made with the State Board of Regents as officials from Board of Regents' institutions are meeting monthly with representatives of community colleges, area vocation-technical schools, and private colleges to enhance cooperation and coordination. The State Board of Education has used wisely their general supervisory powers. They believe amending the Constitution to eliminate the State Board of Education is unnecessary and not in the best interest of education for our state. (Attachment 3)

Gerald W. Henderson, Executive Director, United School Administrators of Kansas, appeared to oppose the provisions of **HCR 5021** which would eliminate the constitutional authority for both the Kansas State Board

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION, Room 519-S Statehouse, at 3:30 p.m. on March 13, 1995.

of Education and the Kansas Board of Regents. "Surely the education of Kansas citizens of whatever age is of sufficient priority to warrant supervision by a body not burdened by the thousands of issues faced annually by this legislature." (Attachment 4)

Susan Chase, representing Kansas National Education Association appeared in opposition to HCR 5021. "The State Board is currently elected which holds them responsible to their constituency. They have also shown they are responsive to the interests of the legislature. We believe that the current system provides for a stable environment in which to promote the best education for the children of Kansas." (Attachment 5)

Dr. Stephen M. Jordan, Executive Director, Kansas Board of Regents, testified in opposition to HCR 5021. "Governing Boards are created for the expressed purpose of operating what I believe are the state's most valued treasures, our state educational institutions, free from political influences or partisan intrusion into the academic and administrative life of our universities. Constitutional governing boards protect the academic freedom of our faculty from populist political trends and help to assure an academic community where scholars and students can openly share ideas. . . With adoption of this resolution, opportunities for the legislature to statutorily mandate academic thought, to punish or terminate individual faculty for their beliefs or teaching, involve itself into the hiring of our Presidents and Chancellor, or to create multiple governing boards for our six state universities would be rife and divisive." (Attachment 6)

Mark Tallman, representing Kansas Association of School Boards offered comments on HCR 5021. "We believe that our system of democratic control over public education is best served by boards elected directly by the people, at both the local and state level. "They do support the removal of the State Board's "self-executing powers". (Attachment 7)

Written testimony in opposition to HCR 5021 was provided by Jacque Oakes representing Schools for Quality Education. (Attachment 8)

The floor was opened to questions from the committee. This closed the hearing on HCR 5021.

Chairman Chronister called attention to a handout entitled "Student Performance and the Changing American Family" from the Institute on Education and Training, Dec. 1994. (Attachment 9)

Meeting adjourned at 5:13 p.m.

The next meeting is scheduled for March 14, 1995.

TONY POWELL
 REPRESENTATIVE, 85TH DISTRICT
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HOUSE OF
 REPRESENTATIVES

March 13, 1995

TESTIMONY IN SUPPORT OF HCR 5021
 BEFORE THE HOUSE EDUCATION COMMITTEE

BY

REPRESENTATIVE TONY POWELL

Madam Chairman and Colleagues:

I appear before you today in support of HCR 5021 which would remove the state constitutional mandate creating the State Board of Education and State Board of Regents. I support this measure not because I necessarily want to eliminate these boards, but to begin a new dialogue in this committee and in the state over the future of education policy and the institutions that make and manage it. Should the Legislature and the voters approve this amendment, I believe a healthy process of examining the effectiveness of our current educational institutions could be undertaken. Given the frustrations many in the Legislature have felt over the inability of the people's body to have meaningful input over the shape and direction of Q.P.A., I believe such a debate would be timely.

The present version of Article 6 of the Constitution was adopted in 1966, and replaced an article that was essentially part of the state's original constitution. Significantly, prior to 1966, the State Board of Regents and the State Board of Education existed as statutory, not constitutional, bodies. One of the reasons the Education Article was amended in 1966 was because supervisory authority for education was fragmented among four entities: the State Superintendent (elementary and secondary education and junior colleges); the Schilling Institute Governing Board (later Kansas Technical Institute); the State Board for Vocational Education (vocational education); and the State Board of Regents (public four-year institutions of higher education). Another reason was to replace the weak State Board of Education with a board equal in power to the State Board of Regents.

By supporting this amendment, I am not advocating that we return to pre-1966 days. In fact, I would oppose returning to such a fragmented structure. I am stating that we should begin a dialogue on what that structure should be. It is significant to note that according to a 1988 Legislative Report, roughly half of all states do not have

House Education
 Attachment 1
 3-13-95

constitutional provisions providing for elementary-secondary and higher education boards. By approving this amendment, we will be putting our state in the company of many states which do not have such constitutional provisions. I believe it is unsound constitutional government to create separate constitutional boards to make state policy. Why should education policy be different than other important state policies like environmental laws, or laws governing the qualifications of doctors, just to cite two examples. In the case of environmental laws, they are set by the Legislature and KDHE. While doctors have the Board of Healing Arts, this board is not a creature of the constitution. In the case of the Board of Healing Arts, the legislature and the courts defer to their expertise. The same can be true for the Education and Regents boards. It is simply not necessary to have Board and Education and Board of Regents in the constitution.

Finally, perhaps the strongest reasons for supporting this amendment, particularly as it relates to the Board of Education, is the Board's "self-executing" powers. As many members of this committee are aware, the Kansas Supreme Court in State ex rel. v. Board of Education, 212 Kan. 482 (1973) interpreted the current constitution to allow for the Board of Education's power to be "self-executing" meaning that the Board "requir[ed] no supplementary legislation to make it effective and le[ft] nothing to be done by the legislature to put it in operation." The legislature has attempted twice to repeal this power but the voters have rejected such a change.

Because of public opposition to Q.P.A., I believe that today, the voters would approve of greater Legislative input in education policy. The benefits of removing both boards from the constitution would be to return the Legislature to its proper role of making decisions and having input on all policy affecting the state. While the Board of Education and Board of Regents could still remain intact and make the vast majority of decisions concerning education policy, the Legislature would have the power, when demanded by the public, to intervene when necessary. Surely, if the Legislature must appropriate the money, it should have some say in how it is spent.

Thank you for your time and attention. I will be happy to stand for questions.

March 13, 1995

Testimony of Jim McDavitt
Director of Kansas Education Watch

Proponent of HCR 5021

I thank the Chair of this Committee, Rep. Chronister, and the members for the opportunity to speak before you today. I appear in support of HCR 5021.

A UNIONIZED, AUTONOMOUS, FOURTH BRANCH OF GOVERNMENT IS THE WORST OF ALL POSSIBLE WORLDS.

The taxpayers of Kansas find themselves the star patient of one of those "supermarket tabloid" type stories where the headline reads:

"I spent my life savings of millions of dollars on doctors,
and now they say I still have a hundred operations to go!"

QPA is just the latest attempt by the "doctors" of education to bring the patient back. And it is no secret that Kansas Education Watch has opposed this latest attempt.

I gave each member of this committee a copy of the 1930's 8th grade graduation test several weeks ago. That test shows dramatically how different the assessments of today are from what was the education norm of 70 years ago. And it is important to remember that if education theory justifying "critical thinking" is used, that man's knowledge has doubled every 5 to 7 years, then the amount of knowledge we have today is a thousand times greater than we had back then.

Yet, the statewide average on math assessments today is less than 40%, even with questions asking for such things as the approximate number of quarters there are in \$4 dollars. And the education experts stand here before this committee and tell you that the education "patient" is a world class marathon runner who just needs a few more vitamins, and a maybe a couple of billion more in training costs, before he gets up to set new world records.

In reality that patient has no heart beat and no respiration. He can't read adequately, do math, or hold his own head up to compete with anyone. And he has had tens of billions spent on his non-existent recovery, and is clearly farther from being well today than he was 70 years ago.

A UNIONIZED, AUTONOMOUS, FOURTH BRANCH OF GOVERNMENT IS THE WORST OF ALL POSSIBLE WORLDS.

Without drastic and immediate intervention from some direction, some legislative form of CPR, that education patient cannot recover.

You can use your "whole language" spelling to list him on his chart as "D-E-D".

We urge your support for HCR 5021.

Jim McDavitt
Kansas Education Watch

*House Education
Attachment 2
3-13-95*

Kansas State Board of Education

120 S.E. 10th Avenue, Topeka, Kansas 66612-1182

March 13, 1995

TO: House Education Committee
FROM: State Board of Education
SUBJECT: 1995 House Concurrent Resolution 5021

My name is Kathleen White, Chairman of the State Board of Education. I appreciate the opportunity to appear before this Committee on behalf of the State Board.

The State Board of Education has made a concerted effort during the past few years to increase school standards, to restructure Kansas school systems to meet the needs of students, our communities, higher education, and business and industry.

Many new programs have been developed, in cooperation with the Governor and Legislature, to restructure Kansas schools, including but not limited to, the following.

1. Development of a precertification testing program for Kansas teachers.
2. Implementation of an alternative certification program.
3. Establishment of school district inservice education programs.
4. Development of a new accreditation system that is premised upon student learning.
5. Implementation of a parents as teachers program.
6. Implementation of an educational enhancement grant program.
7. Implementation of statewide assessment programs.
8. Implementation of competency based programs in vocational education.
9. Implementation of a tech-prep program.
10. Integration of academic and vocational education programs.
11. Implementation of the Kansas Governor's Academy.
12. Implementation of two-way interactive video instruction in cooperation with local boards of education.
13. Implementation of at-risk programs as provided by the School District Finance and Quality Performance Act.

(over)
Dale M. Dennis
Deputy/Assistant Commissioner
Division of Fiscal Services and Quality Control
(913) 296-3871
Fax No. (913) 296-7933

*House Education
Attachment 3
3-13-95*

14. Formation of the Kansas Business-Education Partnership comprised of representatives of business, industry, and education to enhance the importance of cooperation between these areas. This committee is chaired by Dr. Eddie Estes, President, Western Kansas Manufacturers Association, Dodge City.
15. Implementation of a streamlined approval process for training and retraining for business and industry in community colleges and area vocational-technical schools.
16. Formation of a math/science coalition to develop education standards and student achievement. The coalition involves business and industry representatives as well as educators. This coalition is chaired by William Hammers, Vice-President, Cessna Aircraft Company, Wichita.

We believe the goals and objectives of quality performance accreditation are far reaching and one of the best accreditation programs in the nation. We also recognize there may be changes which need to be made and we are willing to review and make necessary changes.

The State Board believes that education should be a cooperative effort involving the Governor, Legislature, State Board of Education, parents, students, patrons, higher education, and business and industry. Every effort has been made to follow this concept. Teaming is required if we are to be successful.

The State Board of Education and State Board of Regents have recently jointly agreed to have four members from each board, along with one member from the Senate, one member from the House, and one person from the Governor's office, to meet monthly to discuss mutual concerns and issues. In addition, officials from the Board of Regents' institutions are meeting monthly with representatives of community colleges, area vocational-technical schools, and private colleges to enhance cooperation and coordination.

In light of these programs and accomplishments, it is our opinion that the general supervisory powers of the State Board of Education have been used wisely to respond to the educational needs of our state.

The State Board has made every effort to obtain input through public hearings on any major issue being considered for implementation. We have also provided opportunities to any legislator who desires to submit written or oral comments regarding various proposals.

The removal of the State Board's constitutional authority has been presented to the voters on several occasions (1974, 1986, and 1990) and defeated each time. We believe this is a strong indication by the people to continue under the current constitutional provisions.

We also encourage you to review the explanatory statement to insure it adequately describes this proposed constitutional amendment.

The State Board meets each month for two days to transact education business and on other occasions if the need arises.

We believe amending the Constitution to eliminate the State Board of Education is unnecessary and not in the best interest of education for our state.

The State Board of Education opposes House Concurrent Resolution 5021 which would have the effect of eliminating the State Board's constitutional powers unless authorized by law.



HCR 5021

Testimony presented before the House Committee on Education
by Gerald W. henderson, Executive Director
United School Administrators of Kansas
March 13, 1995

Madam Chairman and Members of the Committee:

United School Administrators of Kansas opposes the provisions of **HCR 5021** which would eliminate the constitutional authority for both the Kansas State Board of Education and the Kansas Board of Regents to supervise the educational system of Kansas. Surely the children of Kansas are important enough to warrant the attention of a governance system dedicated solely to their well-being. Surely the education of Kansas citizens of whatever age is of sufficient priority to warrant supervision by a body not burdened by the thousands of issues faced annually by this legislature.

We would encourage the committee to report **HCR 5021** unfavorably.

LEG/HCR5021

*House Education
Attachment 4
3-13-95*



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 W. 10TH STREET / TOPEKA, KANSAS 66612-1686

Sue Chase Testimony before
House Education Committee
Monday, March 13, 1995

Thank you, Madam Chair. I am Susan Chase and I represent the Kansas National Education Association. I appreciate the opportunity to appear before the committee in opposition to HCR 5021.

KNEA believes the current system for handling educational issues is working. We believe by changing the constitution to take away the powers of the State Board of Education, you will be disrupting the balance achieved by the current system. The current provisions of the constitution provide a body whose sole responsibility is to deal with the complex and sometimes confusing issues of education in a comprehensive way. The nature of the State Board allows them to deal with the ongoing nature of education in a well-thought-out process that provides a studied approach to improvement in education.

The State Board is currently elected, which holds them responsible to their constituency. They have also shown they are responsive to the interests of the legislature. We believe that the current system provides for a stable environment in which to promote the best education for the children of Kansas. We understand some people have concerns about the current system, but we believe it is premature to change the constitution before a well-thought-out plan has been developed as the best direction to follow. Thank you for listening to our concerns.

TESTIMONY BY STEPHEN M JORDAN, EXECUTIVE DIRECTOR
KANSAS BOARD OF REGENTS
ON HOUSE CONCURRENT RESOLUTION NO. 5021
TO
1995 HOUSE EDUCATION COMMITTEE
March 13, 1995

MADAM CHAIR, MEMBERS OF THE COMMITTEE, I AM STEPHEN M. JORDAN, EXECUTIVE DIRECTOR FOR THE KANSAS BOARD OF REGENTS. I AM APPEARING HERE TODAY, ON BEHALF OF THE BOARD OF REGENTS, IN OPPOSITION TO THE HCR 5021. PROPONENTS OF THE RESOLUTION ARGUE THAT:

A VOTE FOR THIS PROPOSITION WOULD NOT MANDATE A CHANGE IN PUBLIC EDUCATION POLICY OR GOVERNANCE. A VOTE FOR THIS PROPOSITION WOULD PROVIDE FLEXIBILITY IN THE OPERATION OF THE EDUCATION ARTICLE SO THAT THE LEGISLATURE, AND THROUGH ITS MEMBERS, THE PEOPLE, WOULD HAVE MORE FREEDOM IN PROVIDING FOR PUBLIC EDUCATION POLICY AND GOVERNANCE.

MADAM CHAIR, MEMBERS OF THE COMMITTEE, I WOULD SUBMIT TO YOU THAT A VOTE FOR THIS PROPOSITION, WHILE NOT MANDATING A CHANGE IN GOVERNANCE OR EDUCATION POLICY, CLEARLY IS AN INTENT TO CHANGE GOVERNANCE AND EDUCATION POLICY. IF IT IS NOT, THEN THERE IS NO NEED FOR US TO BE HERE TODAY. GOVERNING BOARDS ARE CREATED FOR THE EXPRESSED PURPOSE OF OPERATING WHAT I BELIEVE ARE THE STATE'S MOST VALUED TREASURES, OUR STATE EDUCATIONAL INSTITUTIONS, FREE FROM POLITICAL INFLUENCES OR PARTISAN INTRUSION INTO THE ACADEMIC AND ADMINISTRATIVE LIFE OF OUR UNIVERSITIES.

*House Education
Attachment 6
3-13-95*

CONSTITUTIONAL GOVERNING BOARDS PROTECT THE ACADEMIC FREEDOM OF OUR FACULTY FROM POPULIST POLITICAL TRENDS AND HELP TO ASSURE AN ACADEMIC COMMUNITY WHERE SCHOLARS AND STUDENTS CAN OPENLY SHARE IDEAS. I WOULD REFER YOU TO THE ATTACHED ARTICLE FOR A VIEW OF A TIME IN KANSAS WHEN THIS WASN'T NECESSARILY TRUE.

WITH ADOPTION OF THIS RESOLUTION, OPPORTUNITIES FOR THE LEGISLATURE TO STATUTORILY MANDATE ACADEMIC THOUGHT, TO PUNISH OR TERMINATE INDIVIDUAL FACULTY FOR THEIR BELIEFS OR TEACHING, INVOLVE ITSELF INTO THE HIRING OF OUR PRESIDENTS AND CHANCELLOR, OR TO CREATE MULTIPLE GOVERNING BOARDS FOR OUR SIX STATE UNIVERSITIES WOULD BE RIFE AND DIVISIVE. LIKE PANDORA'S BOX, KANSAS WOULD BE LEFT ONLY WITH "HOPE." HOPE THAT THE LEGISLATURE WOULD CONTINUE TO SHOW RESTRAINT AND NOT BE TEMPTED TO INTRUDE DIRECTLY INTO THE OPERATIONS AND ACADEMIC LIFE OF THE UNIVERSITIES.

WE BELIEVE THE BOARD OF REGENTS HAS ALWAYS SHOWN ITS INTEREST AND WILLINGNESS TO DISCUSS HIGHER EDUCATION POLICY AND GOVERNANCE WITH THE LEGISLATURE AND OTHER SECTORS OF KANSAS EDUCATION. AND WE BELIEVE THAT THE LEGISLATURE HAS TREATED US AS AN EQUAL PARTNER AT THE TABLE IN PRIOR DISCUSSIONS. THE PROCESS HAS WORKED WELL. INDEED, KANSAS HAS A SYSTEM OF STATE UNIVERSITIES OF WHICH IT CAN TRULY BE PROUD.

IN LARGE RESPECT BECAUSE OF LEGISLATIVE INPUT AND CONCERN, THE BOARD OF REGENTS HAS BEEN COOPERATIVELY ENGAGED IN A MULTIFACETED AGENDA TO ENHANCE AND IMPROVE

OUR UNIVERSITIES INCLUDING:

- O ROLE AND MISSION REVIEW AT EACH UNIVERSITY WHICH HAS RESULTED IN THE ELIMINATION OF 182 LOW PRODUCTIVITY PROGRAMS AND REALLOCATION OF \$18 MILLION BETWEEN 1993 AND 1998;
- O A RESTRUCTURING OF POLICIES ON FACULTY EVALUATION TO ASSURE THAT EVERY FACULTY MEMBER IS EVALUATED ANNUALLY IN A WAY THAT WILL IMPROVE THE QUALITY OF TEACHING AND RESEARCH AT OUR UNIVERSITIES;
- O EVALUATING THE CONTRIBUTIONS OF OUR UNIVERSITIES TO THE STATE'S ECONOMIC DEVELOPMENT AND COOPERATIVELY WORKING WITH KTEC TO ENHANCE THE STATE'S ECONOMIC TECHNOLOGY BASE.
- O EFFORTS TO IMPROVE THE LEARNING ENVIRONMENT BY EVALUATING FACULTY WORKLOAD ISSUES AND THEIR IMPLICATIONS FOR UNDERGRADUATE EDUCATION;
- O COOPERATIVELY IMPLEMENTING THE JOINT ADVISORY COMMITTEE WITH THE STATE BOARD OF EDUCATION WITH THE EXPRESSED PURPOSED OF MAKING OUR SYSTEM EDUCATION AND POSTSECONDARY EDUCATION WORK BETTER FOR STUDENTS AND FOR THE STATE; AND
- O PARTICIPATING WITH THE LEPC AND THE HOUSE SELECT COMMITTEE ON

HIGHER EDUCATION TO IMPROVE GOVERNANCE OF THE STATE'S POSTSECONDARY
SYSTEM OF EDUCATION.

THESE ARE ONLY A FEW OF THE AREAS OF HIGHER EDUCATION POLICY AND GOVERNANCE THAT
THE BOARD IS PURSUING. WE HAVE ALWAYS BELIEVED THAT WE WERE A PARTNER WITH THE
LEGISLATURE IN PURSUING THESE ISSUES. WE WOULD ASK YOU, THE MEMBERS OF THE
LEGISLATURE, WHAT DO YOU WANT TO SEE HAPPENING THAT IS NOT CURRENTLY HAPPENING?
TO WHAT PUBLIC DEMAND DOES THIS CONCURRENT RESOLUTION RESPOND?

WE BELIEVE THAT ATTEMPTS TO CHANGE THE CONSTITUTION ARE DIVISIVE AND A WASTE OF
TIME AND POLITICAL CAPITAL. IN OUR IMMEDIATE RECOLLECTION, WHEN ASKED, THE VOTERS
OF THIS STATE HAVE CONSISTENTLY EXPRESSED SUPPORT FOR THE CURRENT CONSTITUTIONAL
STRUCTURE. CLEARLY, THIS RELATIONSHIP HAS WORKED WELL OVER THE YEARS. WE WOULD
URGE THE COMMITTEE TO VOTE NO ON THIS RESOLUTION.

The Hectic Birth of the Board of Regents

by Fred Ellsworth, c'22
Counsel, University Centennial Committee
Alumni Secretary, 1924-1963

This correspondent may be as keenly aware of the importance of the Kansas State Board of Regents and certainly is as grateful for its establishment as any one now living. Possibly because he heard me talk along these lines, Dick Wintermote, the alumni secretary and editor of our magazine, asked me to write for the magazine the dramatic story of the beginning of the Regents.

The Board was created during my first year as alumni secretary. The fury preceding the passage of the Regents law made a vivid impression on a young man not case-hardened to the turbulence and viciousness of partisan politics at its worst, especially when the politics was infested with a bit of Ku Klux Klan bigotry.—F.E.

Reprinted from the January and February, 1964, University of Kansas Alumni Magazines.

THERE WAS a hurried conference in the Chancellor's office. The alumni secretary of five months' tenure was delegated to meet the Chancellor, who was coming in a bus, at the edge of town. Dr. Ernest Hiram Lindley was returning to Lawrence and the K.U. campus from Topeka where he had just been summarily dismissed—fired. This scene took place in December 1924.

Dr. Lindley swung down from the bus with a grim countenance. Somehow he managed to wind his long legs into the secretary's Model T Ford coupe and we were off to the law office of former Judge C. A. Smart to see what could and should be done.

Dr. Lindley, a stately scholar, with a streak of tough fibered puritanism in his soul, was determined to fight the action to the last ditch. It wasn't that he couldn't get another job. He had at least three offers of positions in his files, some paying much more salary than he was receiving and all pleasant work with a future. But the situation was a burning principle, a precedent-setting turn in American education. He refused to run away. He thought it important to the youth of Kansas for all time to come that the issue be settled correctly.

The story of what preceded this dark December day and what followed is a strange chapter in Kansas history.

When Dr. Lindley was invited to Kansas in 1920 to take the chancellorship of the University, he agreed to accept the position on condition that two steps be taken promptly. One was a substantial improvement in faculty salary scales; the other was a change in the administrative system of the five state institutions of higher education. The faculty salary effort still goes on, although the relative salary position of Kansas faculty members is by no means in the pitiful situation it was then.

Dr. Lindley told Gov. Allen and the others interested in getting him to come from the presidency of Idaho University that the state schools in Kansas were sitting on a veritable powder keg. They were being administered by a State Board of Administration made up of three members appointed by the Governor, all of whom could be of one political party. Actually the Governor was also a member and ex officio chairman. Except on special situations one of the appointees served as a sort of vice chairman or acting chairman. Sometimes a governor did appoint, or allow to carry over, one member from the opposition party, but he always maintained a safe three to one margin on all important questions. Furthermore, this same board had the job of administering all the penal and eleemosynary institutions as well as the educational institutions.

In the light of present day thinking it seems obvious now that such a system was likely to run afoul. For one thing, the terms of office in practice were too short for the members to gain any appreciable grasp of college and university procedures, problems and values. Although terms were supposed to be four years, a one-term governor in effect created two-year terms for board members also. For another thing the whole operation was too much permeated with politics—including appointive pay-offs for loyal campaign workers and punishment for persons on the state payroll with the temerity to vote against candidates of the political party to which the man elected Governor belonged.

Gov. Henry J. Allen and his board, of whom H. J. Penny was the active leader in 1921, wrote John J. Tigert, then U.S. commissioner of education, to request a survey and recommendations for administration of the Kansas state schools. The commissioner agreed to provide such a service and appointed George F. Zook, then a specialist in higher education in the Federal Bureau of Education in the Department of Interior; Dr. L. D. Coffman, then president of the University of Minnesota and Dean A. R. Mann of the College of Agriculture at Cornell. Their report came out in May 1922, and was given wide publicity.

The report was well written. It was definite and bore the mark of sincere study by men of judgment and knowledge. It discussed the general administration of the five institutions; it made recommendations on proper allocation of areas of offerings among the schools in order to avoid duplication; it spoke plainly about cases of inefficiency and needed changes.

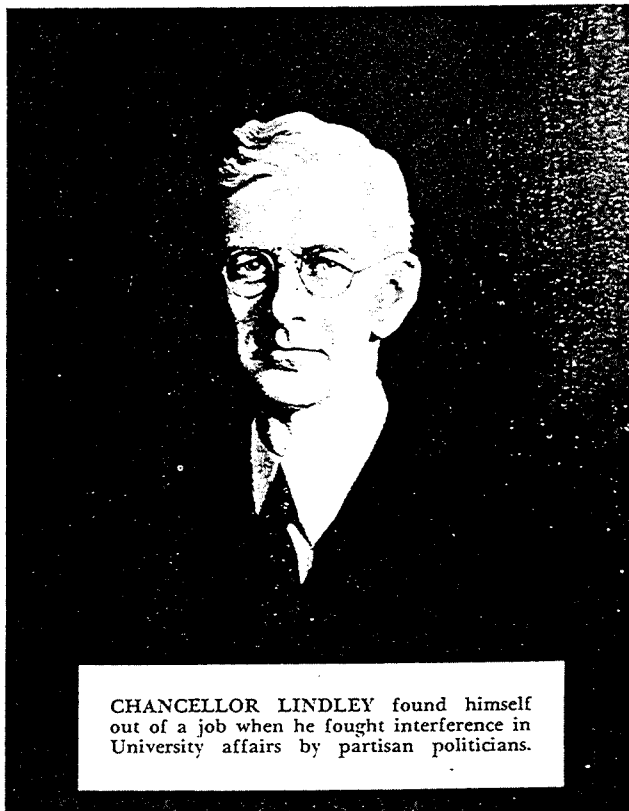
As to the overall administration of the five state schools it strongly recommended establishment of a board comprised of "about nine prominent laymen" appointed by the Governor on a nonpaid basis except for expenses. "Given satisfactory conditions," said the report, "this service engages the attention and devotion of men of consequence and attainment who would not under any circumstances undertake any other public career."

"Terms of office should be seven to nine years," it was emphasized, "in order that all temptation to use the board for political purposes may be removed."

"So important have these considerations been regarded in such states as Michigan, Missouri, Nebraska, and California," the report continued, "as to lead to provision in the state constitution for the appointment of the governing board."

On another page the report declared, "In performing its functions a board of character will administer chiefly in the realm of the larger and more fundamental problems confronting the higher institutions. To the executives and their respective faculties will be left their particular method of carrying out these policies."

The survey commission found that boards of administration had effected little or no communication among the five state schools. Courses and departments had been added here and there, based on the ambitions of the schools. Yet the general public, and even the succeeding Governors and Legislatures, from 1913 to 1920, recognized nothing wrong. They could see no reason to change what looked like a successful system. There had been between 1913 and 1917 some cases of going over the heads of school heads to fire staff members, but the situation was not at all alarming to the populace.



CHANCELLOR LINDLEY found himself out of a job when he fought interference in University affairs by partisan politicians.

JONATHAN M. DAVIS was elected Governor in the fall election in 1922. His Board of Administration had as its active head A. B. Carney, a square-jawed man of decisive action. Gov. Davis had promised "to clean up the mess in the state" and Carney was just the one to do the job for him—as the Governor saw the light.

It was not long until complaints began to emerge from the Board of Administration about poor business management at the University, even though A. A. Doerr, state business manager and widely respected businessman of Larned, said the University followed the regulations as well as or better than any other institution.

Chancellor Lindley took into his office as dean of administration Dr. F. J. Kelly, who had been dean of education. From the state board came such bitterly sarcastic remarks about the new "dean of deans" in particular and "a top heavy administrative setup" at the University that Dr. Kelly resigned and took a similar job at Minnesota.

Soon John Shea, superintendent of buildings and grounds, was dismissed. He was given a hearing about a rumor that he had made, an unsatisfactory war record, and was cleared. However, the board went ahead and fired him.

The Governor told a friend later that he was sorry to have to take such action but Shea's religion was an embarrassment to him. Such a statement had but one meaning: that the Ku Klux Klan had exerted influence. The Governor was not thought to

be a member of the Klan, but he did have the support of the Klan in the election. Hence he doubtless was made to realize that he owed the organization something.

(For the sake of young readers, the Ku Klux Klan was dedicated to the eradication of sin, Catholics and Negroes. The Kluxers' punishments were mostly extra legal. They burned crosses at night at their meetings held in pastures, where they wore white hoods and robes; they threatened Negroes, and occasionally they captured a Protestant Caucasian who they thought had been sinning. Sometimes they got the wrong man. William Allen White entered the race for Governor in 1924 as an independent, not with any thought of winning but with the sole purpose of deriding the Ku Klux Klan out of the state. He spoke all over the state and apparently accomplished his goal.)

But the relations between Chancellor Lindley and the state board continued to worsen. One of the first meetings the new alumni secretary attended after he arrived on the job in July 1924 was a political rally in South Park in Lawrence. Mr. Carney was the speaker. He was critical and insinuating about the University. He likened the faculty and staff members to hogs rooting one another to get up to the feed trough, which was the state payroll.

One special target of Carney was the "rug in the Chancellor's office." When the administrative offices were moved in late 1923, to what is now Strong Hall, the Chancellor purchased for \$300, with approval of the state business manager, a rug at a wholesale house in Kansas City. In view of the size of the rug the cost did not seem exorbitant to most people, but Carney could make it sound like a major act of malfeasance.

A few weeks later Dr. Lindley picked up a morning paper in Manhattan as he was on his way to Colorado for a short vacation. The paper brought him the news that the dean of the School of Medicine, Dr. M. T. Sudler, had been dismissed.

Later he found that the state board planned to replace the dean of women with a woman who had been a good political worker. She had no college training. Her qualification for the position as dean of women was a term of service as a police matron. The Chancellor opposed her appointment fiercely and managed to prevent it.

In the late fall of 1924 four students were reported to be in possession of liquor. Possession of intoxicating liquor was illegal then. Some trouble regarding such matters had arisen the previous year and the dean of men had issued a warning to all students that anyone violating the law and the University rules against the practice would be suspended for the remainder of the semester. The students involved in the November case were called in and suspended, after a full hearing. The State Board of Administration promptly rose up to denounce the suspensions. One of the students involved, a sophomore, hired a prominent lawyer to do battle for him, in vain. The three seniors did not appeal for reinstatement, but the row created excitement.

THESE WERE the events that lay behind Chancellor Lindley as he climbed into the alumni secretary's Model T on the outskirts of Lawrence and rode downtown to talk with Judge Smart. With Dr. Lindley's dismissal earlier that day, his struggles with the Board of Administration had reached a climax. The battle for a better administrative system lay ahead.

By prearrangement, Walter G. Thiele, then a Lawrence attorney and now a retired chief justice of the Kansas Supreme Court, met with Dr. Lindley at Judge Smart's office. They decided to file with District Judge Hugh Means an application for an order restraining the Governor and board from putting the dismissal into effect. Judge Means issued the restraining order to be in effect until a trial could be held.

The case came before the district court Jan. 5, 1925. The injunction was denied. The case was taken to the Supreme Court. The Supreme Court's decision upholding the district court's



WILLIAM ALLEN WHITE pursues white-robed Klansmen in Rollin Kirby's *New York World* cartoon illustrating Kansas' turbulent politics.

POLITICALLY-INSPIRED meddling in Kansas higher education reached its zenith under Gov. Davis (right) and A. B. Carney, head of Davis' Board of Administration.



Kansas State Historical Society

ruling came Jan. 10. The Chancellor was out. The first act of Gov. Paulen, on the afternoon of his inaugural day, Jan. 12, was to call in the Board of Administration and ask them to reinstate Chancellor Lindley. The board complied. Thus the Chancellor was out of office only three days.

Incidentally, in the interim W. P. Lambertson, a member of the Board of Administration, resigned from the board after voting "No" on all actions against the Chancellor.

But there was a still greater and in many respects a harder job ahead. That was to get the Legislature to enact a new and improved law for administration of the state schools. It has been said in recent years that the Legislature voted the new Regents law without resistance. That was not the case.

GOV. PAULEN, in his message to the Legislature, spoke of the unfortunate disruption of the University's work and recommended that a state Regents law be enacted. Referring to the U.S. Bureau of Education survey he suggested that the survey commission's recommendations as to the most desirable kind of governing board be followed.

A bill was prepared by members of both political parties in the Legislature. The Senate passed it and sent it to the House. That body amended it radically and returned it to the Senate. There the whole bill was killed. It had been known at first as an administration bill. Later rumors came to the Senate that the Governor really did not want it.

This correspondent was sitting in the gallery in the afternoon of the day following the killing of the bill. Just before adjournment Sen. Jim Finley, president pro tem and the majority leader, took the floor. He said, "Yesterday we killed the Regents bill. I voted to kill it because I thought it was silly and unworkable. But I have been called to the second floor [meaning the Governor's office] and told to request reconsideration of the bill. That I do now. I was told to vote for the bill when it comes up again, which I am going to do, and the rest of you had better do likewise. . . ."

Such straightforward legislative procedure has seldom been seen before or since that time. The Senate cut off all the House amendments and returned the bill to the House. In the conference the House delegates succeeded in getting one amendment attached—to give the Regents power to dismiss faculty and staff members as well as the executive heads of the schools. The bill finally passed. As will be seen later in this article, the Regents never took advantage of the authority to dismiss faculty and staff.

The effort to defeat the new law stemmed from a wave of feeling over the state, especially among politicians of both

parties, to "keep control" of the institutions and keep them "close to the people."

The Legislature of 1911 had enacted a law to take the state schools away from the several Boards of Regents then existing, and put them in charge of a single, small, paid board. The then Governor, on the strong advice of every leading educator in the country with whom he consulted, vetoed the bill. A similar plan was enacted by the 1913 Legislature and went into effect. Even after the violent eruption in 1923 and 1924 the same feeling persisted. All this in the face of the fact that only Kansas and North Dakota had such a dangerous governing structure.

In the entire episode one individual and one group should be given most credit for getting the law passed—in addition to Gov. Paulen. The individual was the late Clyde W. Miller, who was Republican state chairman in 1924 and who later served as Gov. Paulen's private secretary.

After the Chancellor's dismissal, letters, telegrams, and telephone calls of protest came pouring in to Dr. Lindley. Many were sent also to Gov. Davis. It was Mr. Miller who said, "Have the protests come to Governor-elect Paulen and keep them coming."

They did keep coming. One petition had 3000 signatures. Joint letters or petitions came in from 101 Kansas communities. Well known educators from all over the country sent expressions of dismay and anger. All these piled up by the basketsfull in the Governor-elect's office.

The *Leavenworth Times* said: "In all the years we have known Kansas—and they are not a few—we have never known her people more stirred up than by the attempt of Gov. Davis and his Board of Administration to remove the head of the state university. In the end we have faith to believe that this attempt will result in good.

"It has shown the people of Kansas the danger of having our educational institutions so directly under the control of politicians. Our educational institutions should be taken from under the control of any political board."

Papers in all parts of the state had similar statements.

The group involved in an effective way in bringing about the change was a loosely formed body of some two dozen of the state's most outstanding citizens. It was called the Citizens Educational Council of Kansas. Henry Buzick of Sylvan Grove was chairman. Others included C. B. Merriam of Topeka, Irving Hill of Lawrence, Thad Carver of Pratt, William Allen White of Emporia, G. H. Bramwell, then of Belleville, former Gov. George Hodges of Olathe, Charles W. Thompson of Topeka, and others of like stature. They met from time to time

THE BOARD OF REGENTS OF THE STATE OF KANSAS



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| LEON N. BOULIER 1959-1963 | MRS. ELIZABETH RIGGART 1939-1942 | RALPH T. O'NEIL 1931-1940 | W.Y. MORGAN 1925-1910 |
| C. V. KINCAID 1959-1963 | WILLIS K. KELLY 1948-1955 | S. F. WAGGENDER 1932-1936 | C.M. HARGER 1925-1936 |
| M. F. DANCSHARGER 1961 - * | MRS. ELIZABETH HAUGHEY 1942-1957 | BUDLEY BOGLITTLE 1935-1936 | GEORGE H. HODGES 1925-1927 |
| CLYDE H. REED 1962 - * | DR. L. B. SHAKE 1943-1958 | W.D. FERGUSON 1939-1937 | E. B. MERRIAM 1925-1931 |
| DWIGHT D. KLINGER 1962 - * | JERRY C. DRICOLL 1943-1951 | LESTER MCCOY 1935-1936 | W.J. TOD 1925-1928 |
| HENRY A. EUBS 1962 - * | WALTER S. FEES 1939-1954 | DR. H. L. SWYDER 1936-1940 | C. W. SPENCER 1925-1931 |
| ARTHUR H. CROMB 1963 - * | ARTHUR E. GERSHBERGER 1951-1957 | KAM A. EDWARDS 1936-1938 | R. C. CULP 1925-1932 |
| | RAY EVANS 1954 - * | JOHN BRADLEY 1927-1938 | EARLE W. EVANS 1925-1929 |
| | WILLIE BOYD 1954-1958 | E. F. BECKNER 1927-1933 | MRS. JAMES PATRICK 1925-1929 |
| | LAWRENCE MORGAN 1954-1958 | HOWARD E. FRYNE 1928-1929 | M. G. VINCENT 1927-1930 |
| | CLEMENT HALL 1956 - * | CLARENCE C. NEVINS 1928-1936 | W. E. JRELAND 1928-1932 |
| | HARRY VALENTINE 1957-1960 | MAURICE J. BREIDENBACH 1928-1935 | OSCAR S. STULTZ 1927-1937 |
| | CLAUDE C. BRADNEY 1957-1960 | ERL L. BEYER 1928-1929 | C. C. WILSON 1925-1933 |
| | WHITLEY ALLEN 1958 - * | M. T. HARRISMAN 1929-1943 | F. M. HARRIS 1930-1936 |
| | GEORGE B. COLLINS 1958-1961 | MRS. DONALD MCCR 1929-1941 | DREW McLAUGHLIN 1930-1954 |
| | RUSSELL B. BUST 1958-1961 | GROVER POGLE 1929-1954 | LESLIE WALLACE 1931-1933 |
| | | | 1936-1939 |

through two years or more to discuss the needs and plans of the state schools. Among other things they discussed the U.S. Bureau of Education survey report. When the time came to act they were well grounded in the principles involved and what needed to be done. Mr. Merriam in Topeka did most of the conferring with the legislators.

Gov. Paulen appointed as members of the first Board of Regents B. C. Culp, Beloit farmer; Earle W. Evans, Wichita lawyer; Charles M. Harger, Abilene editor; George H. Hodges, Olathe lumber man and former Governor; C. B. Merriam, Topeka banker; W. Y. Morgan, Hutchinson editor; Mrs. J. S. Patrick, Satanta civic leader and author; C. W. Spencer, Sedan lawyer; and W. J. Tod, Maple Hill stockman.

IT IS INTERESTING to note from the minutes of the first meeting July 1, 1925, that after choosing W. Y. Morgan as chairman the next motion recorded was by Mr. Evans: "That it shall be the policy of the board that the petty differences and the employment of minor employees shall be left to the heads of the institutions." The motion carried.

In fact, the first biennial report of the Board of Regents outlined the entire list of policy points adopted in the first few years:

No politics in the schools' management.

No interference with the teachers because of their academic views, thus giving academic freedom.

The responsibility for conducting the institutions to be placed upon the heads of the schools, and the Regents to make no recommendations for teachers or minor positions in the institutions.

Consideration of the five schools as a single unit of higher education in Kansas with all possible elimination of overlapping courses.

A long time program of building construction to the end that the schools may attain full equipment in an orderly manner as demands exist, without excessive appropriations in any year.

Recognition of professors who have served for a long term of years in a retirement allowance as a due appreciation from the state of their work and also as a stabilizing influence in maintaining strong faculties.

Such acts of the Regents brought an exhilarating breath of fresh air sweeping into the schools. A fallacious prediction that had been used to delay establishment of a Board of Regents soon was exploded—that such a board of citizens would not give the schools their continued attention. The law provided that the Board should meet four times a year. In their first year they met July 1, Nov. 2, Nov. 21, Dec. 18, Jan. 29, Feb. 27, March 27, April 14 and 29, and May 14, with attendance never less than six and usually eight or nine. The pace has been maintained.

For some years the Regents were accused of not being aggressive enough in support of the schools. In 1931 when the Depression was coming on, they readily responded to Gov. Woodring's request that part of the money which had been appropriated for the schools be turned back in order to help the state's finances. Eventually it was noted that the schools were the only state agencies which did such a thing.

As late as 1938 William Allen White wrote to this correspondent in a pessimistic vein about the Regents. At that time the Governor and Legislature saw fit to dissolve the board and rewrite the law.

In that act a strange sequence of appointments was provided. The Governor was to appoint to the reformed board one member for one year, two for two, three for three and three for four years. Such an arrangement makes it possible for one Governor in a two-year period to appoint six of the nine Regents. The same governor, serving four years, can appoint all nine members.

While the new law did provide that membership could have no more than five of one party, and thus made it truly bipartisan, yet when a Governor has a determination to secure some particular action taken he can readily find enough fellow thinkers in both parties to get the job done.

In view of 38 years experience, and in the light of the experience of other states, Kansas should amend its constitution to permit appointments of Regents for terms longer than four years, which is the present limit. At present only eight states have four-year terms for members of governing bodies. Of the 42 other states all have longer terms, up to as long as 16 years. The greatest common number of years' service is six, in 17 states.

IN THE OPINION of this writer the prestige of the Board of Regents in Kansas has grown steadily. Certainly its overall record is a shining one. One of its most important jobs is to choose heads of schools. The board has had opportunity to choose 11 Chancellors and presidents. In most cases the choices have been spectacularly successful. Also, to the Board of Regents must go credit for getting established the continuing mill tax for buildings. If it had done nothing more than that the board should have the undying appreciation of all who are interested in the welfare of the state schools.

In the old days Governors and Legislatures were inclined to disregard the recommendations of the Board of Administration and, in its first years, the Board of Regents, as to appropriations. It was in general a matter of each school going pell-mell after all it could get. Now, and for several years, the Regents' recommendations have been followed almost intact. The dreams of the school heads, if out of line, are dashed at the Regents' level. Yet the Regents in the past several years have been speaking out with authority for the forward progress of the educational institutions. The whole attitude of the people toward the state schools since 1925 has completely changed and bloomed into a real appreciation. The Regents have played a good part in that growth.

Not until 1939 did the Board of Regents have its own executive secretary and an office of its own. Then the late Hubert Brighton took over and made the position one of respect and happy service. Now a trained and experienced educator, Max Bickford, who came in 1961 from his position as superintendent of schools at El Dorado, has brought a skilled approach to the position. His performance will continue to have a further improved effect on the work of the Board.

Still another forward step is the adding to the staff of a professional public budget analyst, Mrs. Mildred Lamb LeSuer. She will be able to keep educational institution financial operations on a uniform and even keel.

IT IS THE OPINION of many that in most cases persons appointed to the board have grown on the job. Not all have been among the state's most outstanding leaders but always enough men of wide experience and stature have been present to keep a wise course.

A word of appreciation should be said for the chairmen, who have more to do with the character of the board's performance than any other one member. At first the chairmen served indefinitely. In recent years it has been the custom to revolve the chairmanship on a one-year basis.

Mr. Morgan of Hutchinson served until 1930 when C. M. Harger of Abilene took over. He served until 1938 and a rugged time he had. In those days the board had no office and only the use of one of the assistant state business managers as part-time secretary. Mr. Harger wrote his own letters and personally signed all vouchers.

After that it was Ralph T. "Dyke" O'Neill, '38-'39; Fred M. Harris, '39-'43 and '49-'50; Lester McCoy, '43-'45, '50-'52; Oscar Stauffer, '45-'46, '52-'53, and '56-'57; Dr. L. B. Spake, '46-'47; Willis N. Kelly, '47-'48; Drew McLaughlin, '48-'49; Walter Fees, '53-'54; A. W. Hershberger, '54-'55, '57-'58; McDill Boyd, '58-'59; Clement Hall, '59-'60; Ray Evans, '60-'61; Whitley Austin, '61-'62; Clyde M. Reed, '62-'63; and Henry A. Bubb, '63-.

How much has all this meant to the state institutions of higher learning? Who can say? Schools are extremely sensitive creations. At any given time there are important faculty members staying on in the face of offers of more pay and also pleasant working conditions. Then how does one get them to stay on?

Many former faculty members have said to this correspondent, "My years at Kansas were the happiest of my life. The people were friendly, the students had serious interests; and I always had the feeling that the administration was on my side. The place is hard to leave behind." So it has meant stability.

It has meant growth in service to the students and the state. In fact, to one who went through the 1924-'25 episode as a close-up observer it has been something like a transfer from hell to Heaven.



THE PRESENT Board of Regents is composed of, left to right: standing—Whitley Austin, Salina newspaperman; Dwight W. Klinger, Ashland rancher; W. F. Danenbarger, c'33, Concordia radio station operator; L. D. Morgan, Goodland rancher; Clement H. Hall, l'33,

Coffeyville attorney; A. H. Cromb, b'30, Mission Hills industrialist; and Max Bickford, board secretary; seated—Clyde M. Reed, c'37, Parsons newspaperman; Henry A. Bubb, '28, Topeka savings and loan executive; and Ray Evans, b'47, Prairie Village banker.



TO: House Committee on Education
FROM: Mark Tallman, Director of Governmental Relations
DATE: March 13, 1995

RE: Testimony on H.C.R. 5021

Madam Chairman, Members of the Committee:

The KASB Delegate Assembly has adopted the following statement regarding the state structure for supervising education:

"KASB believes the following constitutional provisions are critical:

- (1) The State Board of Education shall be elected.
- (2) The State Commissioner of Education should be appointed by the State Board of Education.
- (3) The supervision of all schools - preschool, elementary, secondary, and area-vocational-technical school - should be vested in the State Board of Education. The board shall have such authority as the legislature provides."

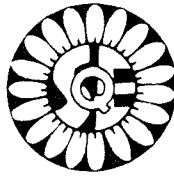
Using this statement as a guide, let me offer the following comments on H.C.R. 5021:

First, we cannot support the deletion of an elected state board and a commissioner appointed by that board from the constitution. We believe that our system of democratic control over public education is best served by boards elected directly by the people, at both the local and state level. This structure should not be subject to change by the Legislature.

Second, we do support the removal of the State Board's "self-executing powers." That is the meaning of the last sentence in our policy statement. We believe that the powers of the State Board should be **balanced** by the Legislature. This could be accomplished simply by changing the language in lines 30 and 31 of the proposed resolution reflect the language in lines 35-36. That would make the powers of the Board of Education identical to the powers of the Board of Regents, which the Supreme Court held does not have self-executing powers.

Thank you for your consideration.

*House Education
Attachment 7
3-13-95*



Schools for Quality Education

Bluemont Hall Manhattan, KS 66506 (913) 532-5886

March 13, 1995

TO: HOUSE EDUCATION COMMITTEE

SUBJECT: HCR 5021--PROPOSITION TO REVISE ARTICLE 6
OF THE CONSTITUTION OF THE STATE OF KANSAS

FROM: SCHOOLS FOR QUALITY EDUCATION

Madam Chair and Members of the Committee:

I am Jacque Oakes representing Schools For Quality Education, an organization of 113 small school districts.

We are submitting written testimony in opposition to HCR 5021 which would eliminate the state board of education which provides general supervision of public schools as well as eliminate the state board of regents.

We believe that the members of the state board are experts in the field of public education. They meet monthly as a board as well as give freely of their time throughout the year on other education issues and school related business and seminars. They are elected by the public to give general supervision to public schools. This bill would give the legislature full authority to make suitable provision for the governance of public schools managed under state supervision. The legislature is elected by the public as a citizen legislature to return home to their communities and professions after the legislative session.

When you look at the monthly agenda meeting for the state board of education, it is a very obvious list of their many achievements as well as an assurance that they are, indeed, accomplishing their obligation of supervising public schools. The state board, most importantly, established a statewide school improvement program in hand with an accreditation system, initiated statewide assessments, started a parents as teachers program, organized the teachers' inservice, created the at-risk academy as well as the valuable at-risk programs in school districts and promoted the science-math coalition on improving standards. There are many other accomplishments, but this is a short list compared to all of the many business items that they manage during their appointed meetings.

"Rural is Quality"

*House Education
Attachment 8
3-13-95*

March 13, 1995

Page 2

HCR 5021--proposition to revise article 6 of the constitution of the state of Kansas

We believe that legislators do a great job of legislating laws for the state, and we believe that the state board does fine work in providing general supervision of public schools. We believe that this balance serves the state of Kansas well.

Thank you for your time and consideration. Please vote against HCR 5021.

Student Performance and the Changing American Family

Critics of American education frequently blame lagging student performance on the deteriorating American family structure. Moreover, it is widely asserted that substantial spending on schools and social programs over the past two decades has failed to reverse the educational downtrend. However, a recent study conducted by RAND's Institute on Education and Training sharply challenges this view. First, the study points out that prior research—contrary to public perception—has reported gains in student performance between 1970 and 1990, as measured by nationally representative test score data. The largest gains were made by minority students, although a substantial gap still remains. Second, the study finds that demographic trends affecting the family over this time period contributed to rising test scores. Third, the minority gains cannot be fully explained by changing family characteristics, suggesting that we need to look to other factors for explanations. The most likely explanations are rising public investment in schools and families and equal educational opportunity policies.

Student performance and family environment: what's the connection?

The issue of how families affect student performance is vital to public policy. With public resources stretched thin, how can government best increase learning: by improving schools or the family environment? In *Student Achievement and the Changing American Family*, RAND researchers David W. Grissmer, Sheila Nataraj Kirby, Mark Berends, and Stephanie Williamson took a first step toward answering this complex question. They constructed comprehensive, quantitative models for determining how family characteristics affected test scores among junior- and senior-high students. Specifically, the research addressed three questions:

- What is the relationship between family characteristics and student performance?

- Given the changes in family characteristics between the early 1970s and 1990, could the changes in student test scores be predicted? How would these predictions compare to actual test score changes?
- How did these trends differ for various racial/ethnic populations?

Which family characteristics matter most?

The study drew demographic information on student families from two large databases: the National Longitudinal Survey of Youth (NLSY, 1980), from which it selected students aged 15 to 18, and the National Education Longitudinal Survey (NELS, 1988), which sampled eighth-graders.

The study estimated how specific family features affect student performance, as measured by mathematics and verbal/reading scores.¹ It examined parents' level of education, family income, mother's employment status, the number of siblings, age of mother at birth of child, and single-parent families (see Figure 1). The study found that

- The most important family characteristic influencing student performance is parents' education. For example, students with one or two college-educated parents performed significantly better than students whose parents were not high school graduates.
- Income, family size, and mother's age at child's birth were modestly significant. For instance, a student whose family earned \$40,000 annually outperformed one whose family earned only \$15,000; a student with one sibling performed better than a student with four sib-

¹Mathematics scores were used to illustrate study results; however, verbal/reading scores would have shown similar results.

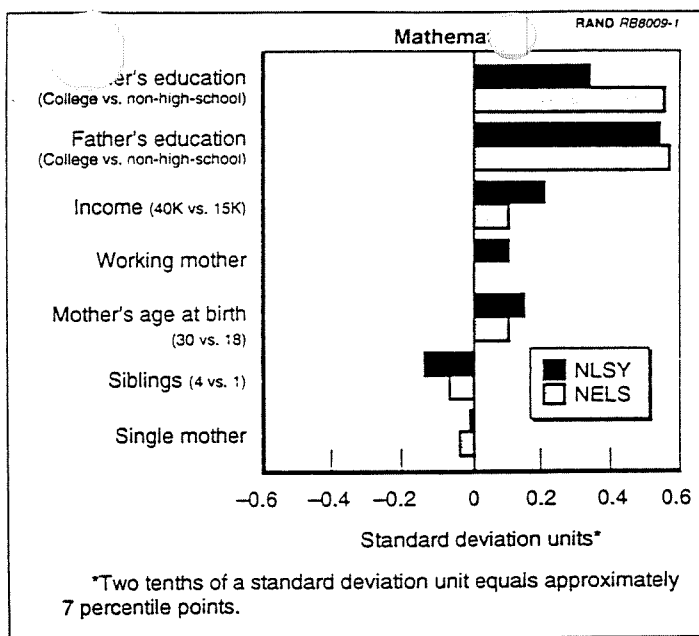


Figure 1—Net differences in mean mathematics test scores for selected groups, NLSY and NELS

lings; and a child of an older mother scored higher than a child born to a young mother.

- Surprisingly, whether the mother worked had a negligible effect, after accounting for other family factors.
- In addition, single-parent status by itself was not significant. This result suggests that any performance gap between students from one- or two-parent families arises from other differences, such as family income or size or parents' education.

The changing family: a boost for student test scores, 1970–1990

The researchers used these results to predict the changes in test scores that would be expected from changing family characteristics. They found that students in 1990 would be predicted to score higher, not lower, on tests than youth in families in 1970. This is because the two most influential characteristics—parents' education and family size—changed for the better (see Figure 2). Mothers and fathers in 1990 were better educated than their 1970 counterparts. For example, 7 percent of mothers of 15–18-year-old children in 1970 were college graduates, compared to 16 percent in 1990. In addition, 38 percent of mothers did not have a high school degree in 1970, compared to only 17 percent in 1990. Changes in family size were also dramatic. Only about 48 percent of 15–18-year-old children lived in families with at most one sibling in 1970, compared to 73 percent in 1990. The decline in family size coupled with the unchanging average family income levels (in real terms) between 1970 and 1990 means that family income per child actually increased during this time period.

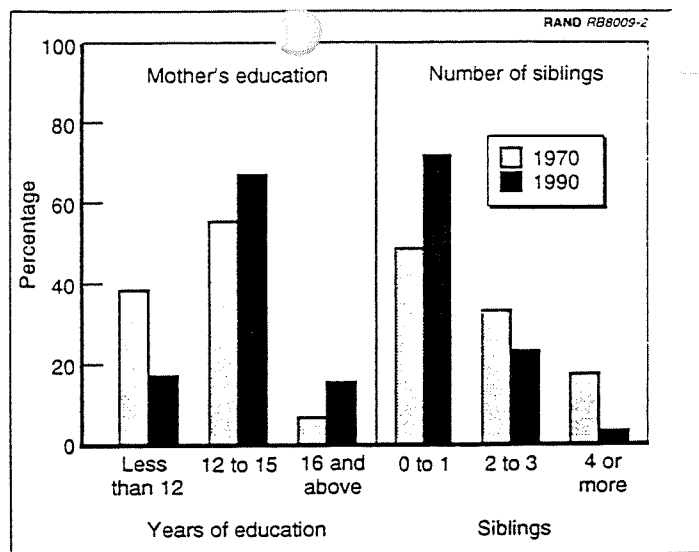


Figure 2—Changes in selected family characteristics, 1970–1990

The effect of the large increase in numbers of working mothers and single-parent families during the past two decades is more complex. The estimates imply that the large increase in numbers of working mothers had—other things being equal—a negligible effect on test scores. However, this measure was taken when the youth were approximately 14 years old, so the results may not apply to younger children. In the case of the increase in numbers of single mothers, the researchers' estimates imply no negative effects from changed family structure alone. However, such families tend to have lower incomes and mothers with lower educational attainment, so that predictions for youth in these families show a negative effect mainly because of the lower income associated with single-parent families.

The research also found that the positive changes in the family were mirrored in the National Assessment of Educational Progress (NAEP). The NAEP contains a set of standardized tests administered by the Department of Education. Since the early 1970s, the NAEP has been monitoring student achievement among nationally representative samples of students at ages 9, 13, and 17. One function of the NAEP design is to monitor achievement over time. As other researchers have reported, results from the NAEP from 1970 and 1990 indicate that the average mathematics achievement of 13-year-olds increased by about 0.18 of a standard deviation, or roughly 6 percentile points, whereas that of 17-year-olds increased by about 0.13 of a standard deviation, or roughly 4 percentile points.

The NAEP is a much more valid indicator of nationwide student performance than the oft-cited Scholastic Aptitude Test (SAT). In fact, the SAT is not designed to compare student performance over time because it is not taken by a statistically representative sample of the nation's students. The SAT is actually taken by a different mix of students each year

and moreover excludes non-college-bound students—the group registering the largest gains in scores. Therefore, using the S. as a “national report card” on American education is at best misleading.

Larger gains for minorities

Improvements in test scores varied significantly for different racial/ethnic groups (see Figure 3). The greatest improvements in NAEP mathematics and reading test scores were posted by black and Hispanic students. This helped to narrow the minority-nonminority test score gap even though a substantial difference remains.

Subtracting the predicted gains resulting from family changes from actual overall gains in NAEP scores suggests how much the improvement in test scores among racial and ethnic groups can plausibly be attributed to the family as opposed to influences outside of the family (e.g., public investment, public policies, and schools). Scores for black students increased dramatically even after subtracting family effects, as did scores for Hispanic students (see Figure 4). By

contrast, there was a negligible difference between the actual and predicted scores for Non-Hispanic whites, implying that the test score gains for these students were fully accounted for by the changes in family characteristics.

These results suggest that black student gains during this period and, to a lesser extent, those of Hispanic students may in part be attributable to public investments in families and schools and/or equal educational opportunity policies. This implies that programs targeted for minority students may have yielded important payoffs, but identifying which programs have worked and their relative cost-effectiveness especially for children placed at risk remains an important topic for future research. Project Director David W. Grissmer observes “These findings are like a caution light at an intersection, warning us to go slow in dismissing the large investments in public education, social programs, and equal opportunity policies over the past twenty years as a waste of resources and a failure of social policy. Future research in this area will allow us to target family and educational resources where they do the most good.”

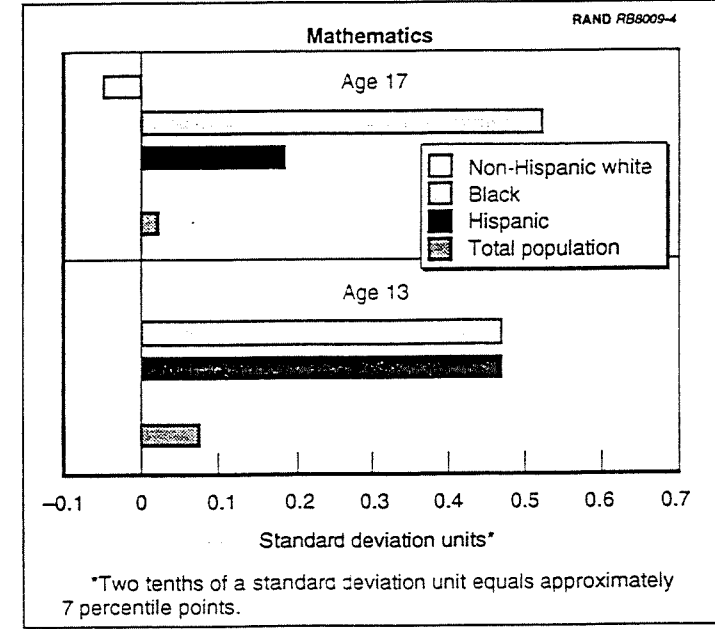
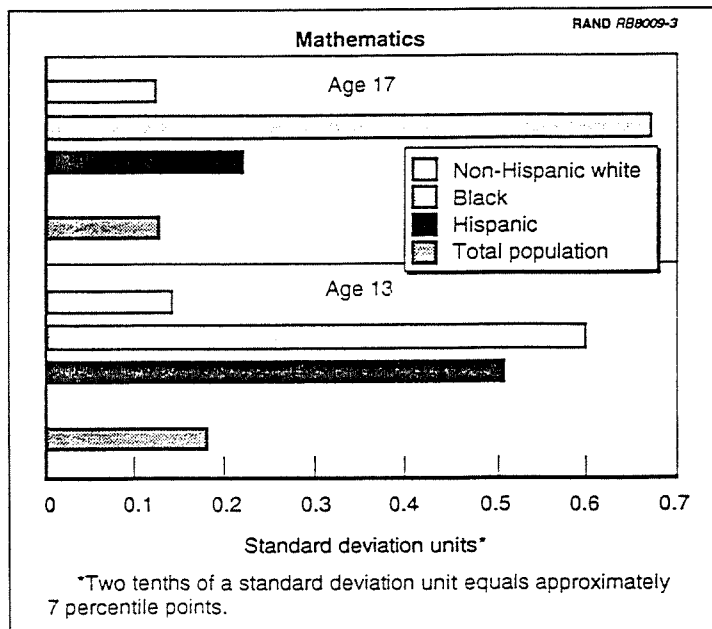


Figure 3—NAEP mathematics score differences by racial/ethnic group between 1978 and 1990 for 13- and 17-year-old students

Figure 4—Unexplained differences between actual (NAEP) and predicted (based on family changes) mathematics scores for different racial/ethnic groups, 1978–1990

RAND research briefs summarize research that has been more fully documented elsewhere. This research brief describes work done in the Institute on Education and Training and documented in MR-488-LE, Student Achievement and the Changing American Family by David W. Grissmer, Sheila Nataraj Kirby, Mark Berends, and Stephanie Williamson, 131 pp., \$15.00, which is available from RAND Distribution Services, Telephone: 310-451-7002; FAX: 310-451-6915; or Internet: order@rand.org. RAND is a nonprofit institution that helps improve public policy through research and analysis. RAND's publications do not necessarily reflect the opinions or policies of its research sponsors.