

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION K-12.

The meeting was called to order by Chairperson Ralph Tanner at 9:00 a.m. on March 18, 2002 in Room 313-S of the Capitol.

Committee staff present: Ben Barrett, Legislative Research Department  
Jill Wolters, Revisor of Statutes  
Ann Deitcher, Committee Secretary

Conferees appearing before the committee: Mark Tallman, KASB

**HB 3018 - School accreditation based on pupil performance; closing buildings; extended contract weighting.**

The Chair called the Committee's attention to the written testimony of Representative Sloan that was distributed in support of **HB 3018**. Representative Sloan was unable to appear. (Attachment 1).

Mark Tallman addressed the Committee as an opponent of **HB 3018**. (Attachment 2).

The Chair told the Committee that what is being sought is an opportunity for the state of Kansas to move into conformity with **HR1**, the "No Child Left Behind" bill. He explained that **HR1** clearly puts the federal government behind the notion of assessments and performance indicators based on those assessments. In other words, they are going to test "every kid, from grades three through eight, every year." The success or failure of that school is going to be judged based upon the performance of those students on those tests.

Chairman Tanner made the motion that **HB 3018** be referred to the LEPC for its consideration in the coming interim and beyond, as it chooses to do. The motion was seconded by Representative Reardon and passed on a voice vote.

Ben Barrett was asked to compose a draft to the Legislative Educational Planning Committee (LEPC), requesting this interim study on **HB 3018**. The draft outlines the changes offered by the Committee. A copy of this draft is attached. (Attachment 3).

The hearing on **HB 3018** was closed.

The meeting was adjourned at 10:45 a.m. The next meeting is scheduled for Tuesday, March 19, 2002.

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HOUSE OF  
REPRESENTATIVES

Testimony on HB 3018 – Education Reform Bill of 2002

March 18, 2002

Mr. Chairman, Members of the Committee:

Last fall I was asked to coordinate an effort to address issues related to school district operations, student educational opportunities, teacher development and preparation, early childhood education, and compliance with the anticipated federal statutory changes. You might well ask, Why me?

There is no simple answer. The Lawrence school superintendent, Randy Weseman, is a strong advocate for reducing bureaucracy within the education process. Prominent representatives of two of the big three education organizations are constituents of mine. And, I am tenacious, persistent, and a big enough S.O.B. to continue dialogues and negotiations to fruition through all types of frustrations and impediments.

HB 3018 represents the culmination of four months of concerted effort, input, consultation, and pain involving, at the start, Lawrence school administrators and teachers; evolving to representatives of KNEA, KASB, and USA, the State Board of Education, and the Commissioner of Education; and culminating with Republican and Democrat legislative leaders.

HB 3018 represents a sincere effort to recognize that Kansas' education process must change for two reasons. First, because HR 1 requires it, but more importantly, because our current programs have been successful and it is time to take the next step. QPA has been vilified because of its documentation requirements and focus on process. But, we have seen positive results. We know where students and teachers are succeeding. Now is the time to build on the lessons learned and return some flexibility to local school administrators and teachers. Particularly during the current fiscal crisis, it is important that we retain a focus on our objective – student performance – while permitting teachers to teach instead of push papers.

We seldom draft preambles to the bills we work, but HB 3018 is different because it establishes both a vision of what education can be and a simple blue print on how to get there. "It is the legislature's objective for all children to have equal educational opportunities and that professional staff salaries be sufficiently attractive to recruit and retain teachers on the same basis as other professions."

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Attachment # #1-1

### **A. Enhancing Teacher Opportunities and Rewards to Better Serve Students:**

Page 1, line 21, New Section 1: Beginning July 1, 2004, local school districts may offer extended contracts of up to five days (after July 1, 2007, up to ten days) to all professional staff. The state, through a weighting factor, will pay for the equivalent of up to 25 percent of teachers to receive the full supplemental contracts.

Consensus exists that teachers will benefit from increased planning, mentoring, in-service, and other educational opportunities. Similarly, better prepared teachers provide greater education benefits for their students.

Teacher contracts must be negotiated with each district, but the bill envisions that teachers will receive the same rate of pay for the extended contract as they do for their regular days. The bill also provides flexibility in that the state will pay for a district to bring one-fourth of its teachers in for five extended contract days (e.g., to focus on the math curriculum) or all of its teachers in for one day (e.g., to implement a mentoring program).

### **B. Early Childhood Intervention:**

Page 2, line 17, New Section 2: Beginning with the 2005-6 school year, districts that develop and implement an approved plan of intervention for pupils in pre-grade 3 levels, shall receive state grants to supplement local district efforts. This is in keeping with the federal "No Child Left Behind" initiative and the 2001 Kansas House passed "Skills for Life" program.

Page 2, line 42, New Section 3: Establishes the State Board of Education's authority to establish the appropriate intervention evaluation and benefit programs and establishes a weighting factor to pay for up to 10,500 pupil interventions per year (page 3, line 39). This represents 10 percent of the total number of pre-third grade pupils.

### **C. School District Accreditation – Student Performance Based:**

Page 8, line 34, (e): Beginning with the 2005-6 school year, school accreditation will be based on student performance. This also enables Kansas to comply with many of HR 1's requirements.

To accomplish this objective, the State Board shall provide for diagnostic assessments to measure school readiness and test for health and other limitations for which remediation or other intervention is appropriate.

Provide reading and math assessments in grades three through eight and continue benchmark assessments in science, writing, and social studies.

Establish end-of-course mathematics, science, and social studies assessments and for reading and writing. Currently, high school students take an assessment test that

contains subject matter from a multitude of courses (e.g., algebra, geometry). Unfortunately, not all students have completed the course work being tested, thus resulting in low scores that are meaningless to school administrators and parents. HB 3018 shifts the assessment to end-of-course testing.

Establish grade level assessments as a basis for accrediting schools, emphasizing individual performance levels to indicate mastery of essential skills and knowledge. This will require the establishment of standards relating to the percentages of students that must meet the individual performance levels.

In addition, establish the rate of increase (improvement) necessary for schools that do not meet the accreditation standard to demonstrate significant improvement toward the standard. In other words, for those schools whose students do not perform to the SBOE's standards, the SBOE shall establish a means by which districts may show that their students are moving closer to achieving the performance standards.

Local districts shall increase and improve the reporting of student and school performances to parents.

**D. Benefits of Achieving Accreditation/Consequences of Failing to Achieve Accreditation:**

Page 9, line 33, (g): Schools that achieve accreditation may submit to the Commissioner of Education a list of processes and document filing requirements for which the school wishes to be exempted. The Commissioner has the discretion to approve or not approve each request.

The use of assessment triangulation (page 9, line 10) and site councils (page 7, line 37) by local school boards shall be optional (these are not, strictly speaking, contingent on being accredited, but are benefits of a student performance-based accreditation system). School administrators and teachers who were involved in developing HB 3018 particularly like the option of reducing bureaucratic filings and required processes that "tie up" administrators' and teachers' time, but may not benefit students' educational performance.

Schools that do not meet accreditation standards AND are not attaining satisfactory progress toward those standards may appeal to the State Board of Education, offering documentation acceptable to the State Board, to retain or achieve accreditation.

Schools that are not accredited after July 1, 2005, shall be placed on probation for up to four years. During the probationary period, the State Board shall monitor and require the affected district to adhere to processes and procedures that will achieve demonstrable progress toward accreditation. In other words, the Department of Education will better utilize its personnel and other resources to help those schools most in need; rather than expending resources monitoring those districts whose pupils are

performing well. If the school subsequently achieves accreditation, the State Board shall cease the increased intervention and monitoring.

**E. School Building Utilization:**

Deleted language on page 10 – 11: Removes restrictions on the ability of local Boards of Education to close or otherwise utilize buildings. I believe that this Committee has already recommended similar language be passed by the full House.

**F. Concluding Comments:**

HB 3018 represents the concerted efforts of the education community – practitioners and their association representatives, State Board of Education members and the Commissioner, and individual legislators to advance learning, teaching, and administering to the next stage. A stage that rewards all parties for student performance, rewards teachers and administrators for their professionalism, and provides increased information to parents about their students' and schools' performance.

HB 3018: Brings Kansas into conformance with federal requirements; addresses early childhood assessment and intervention issues; provides teachers more opportunities for professional development; holds the promise of reducing paperwork and bureaucracy for teachers and administrators; and focuses all of our attentions on student performance. After all, we invest in schools (teachers, administrators, facilities) so that our children will learn and have opportunities that we did not.

While some of the planning and development will necessarily occur in the 2002-4 period, most of the provisions do not require additional funding until 2004 (extended teacher contracts) and 2005 (early childhood intervention). Funding mechanisms are specified in the bill. These will not be unfunded mandates.

Finally, while the state is facing a significant fiscal problem this year, it is not good enough to just sit passively and await the future. Before the 2002 legislative session ends, we will seriously confront the issues of increasing taxes and reducing budgets. Education may, or may not, be "held harmless," but abdicating the responsibility to implement a strategy to accomplish what every person who participated in developing HB 3018 believes is not only appropriate, but necessary, is simply wrong. HB 3018 is not perfect, and probably is not complete, but it is a worthy and necessary start.

Thank you for your attention and consideration.

KANSAS  
ASSOCIATION



OF  
SCHOOL  
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Testimony on  
**HB 3018 (Finance and Quality Performance; School Closing)**

Before the  
**House Committee on Education**

By  
Mark Tallman, Assistant Executive Director/Advocacy  
Kansas Association of School Boards

March 18, 2002

Mr. Chairman, Members of the Committee:

We appreciate the opportunity to testify on HB 3018. Although we appear in opposition to this bill, there are parts we support and parts we could support but not at this time.

HB 3018 has four major components. First, it establishes a new weighting factor that would provide funding for districts that extend the contract days for teachers, beginning in 2004. Second, it establishes a weighting factor fund intervention program for early elementary students to help ensure they meet educational standards, beginning in 2006. Third, it makes a number of changes in state assessment and accreditation standards, in part to comply with the requirements of the new federal law, the *No Child Left Behind Act*. Fourth, it allows all school districts to close schools by action of the local board without a public vote.

To take these provisions in reverse order, KASB strongly supports the provisions of this bill on closing schools. You have already received our testimony on SB 488, which remains in this committee.

Second, we would probably support many of the changes in student assessment and school accreditation contained in HB 3018, but we do not support making these changes at this time. We agree that some of these changes will be required under the new federal law, but federal regulations for implementing that law are not yet available. We believe the State Board of Education is working on proposed changes to the Quality Performance Accreditation system that will incorporate many of provisions of this bill. We would suggest that this issue, like the school budgeting issue discussed last week, should be addressed through an interim study or task force that would include representation from the Legislature, the State Board, representatives of education organizations and others.

Finally, let me address the components of HB 3018 that would provide additional funding for teacher contract days and student interventions. Like other school finance proposals this year, KASB does not oppose these goals. These ideas are consistent with the proposals of the State Board of Education, which we support. But we do not support passage of these measures in isolation from the larger issue of school funding.

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Attachment # 2-1

We do not believe it is appropriate to enact legislation that would commit the state to future funding obligations for new programs when we face an immediate crisis in funding our current commitments. The House Appropriations Committee has adopted a report that cuts the base budget per pupil \$158, reducing school funding by \$91 million. That reduction is based on the Governor's original budget. The additional budget shortfall could easily result in a base budget reduction of \$300 per pupil, which would result in a base lower than it was when the current school finance act was adopted in 1992.

The funding provisions of this bill would not take effect until future years, but we have no idea what the state budget situation will be in those years. We are reminded of the teacher mentor program, which was passed with overwhelming support several years ago. Even under the Governor's enhancement budget, no funding for that program is provided next year.

Support for extended teacher contacts and student interventions are positive ideas to improve education, but they will be a drop in the bucket compared to the damage schools face next year. They should only be considered as part of a plan that ensures we fully fund the current base budget per pupil and immediate needs of school employee salaries and benefits.

Thank you for your consideration.