

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 9:05 A.M. on March 20, 2008 in Room 313-S of the Capitol.

All members were present except:
Benjamin Hodge- absent
Ted Powers- absent

Committee staff present:
Theresa Kiernan, Office of Revisor of Statutes
Dianne Rosell, Office of Revisor of Statutes
Dale Dennis, Kansas State Department of Education
Martha Dorsey, Kansas Legislative Research Department
Sharon Wenger, Kansas Legislative Research Department
Janet Henning, Committee Assistant

Conferees appearing before the committee:
Mark Tallman, Kansas Association of School Boards
Mark Desetti, Kansas National Education Association

SB 531: School finance - base state aid per pupil

Theresa Kiernan, Senior Assistant Revisor, Office of the Revisor of Statutes, gave an explanation of **SB 531** to Committee members.

Mark Tallman, Kansas Association of School Boards (KASB), spoke to Committee members in support of **SB 531**. Mr. Tallman also advised Committee members of the following entities which also support **SB 531**:

Olathe School District
Kansas City, Kansas Public Schools
Wichita Public Schools
United School Administrators of Kansas
Schools for Fair Funding
Schools for Quality Education

Mr. Tallman acknowledged and expressed appreciation for the work of legislators who have supported increased funding for public education, however, many serious needs remain unanswered. Currently Kansas schools face a growing shortage of qualified teachers, especially in critical areas such as mathematics, science, and special education, because both salaries and support for induction, mentoring and professional development are too low. However, it is the belief of KASB that continued advocacy for funding based on what schools need to do the job they have been given, not based on what is available. (Attachment 1)

Mark Desetti, Kansas National Education Association (KNEA), spoke to Committee members and advised that KNEA supports a move to out-year funding, the addition of a fourth year to the three year plan. The KNEA also supports additional funds being allocated on base state aid per pupil as the best way to give flexibility in the expenditure of those funds and the best way to address educator salaries.

However, **SB 531** is a sub-inflationary increase in base state aid per pupil. It has been presented as a 2.2% increase but in terms of money districts can use, it is a 1.3% increase. KNEA fears that what progress has been made recently will be lost if we return to the days of sub-inflationary increases in BSAPP. (Attachment 2)

After a brief discussion of **SB 531**, Chairman Aurand closed the hearing on **SB 531**.

HB 2903: School district teacher licensure program

Representative Horst gave a report to Committee members on the House Education Sub-Committee on Alternative Teacher Licensure. (Attachment 3 and 4)

A question and answer session followed the Sub-Committee report.

Representative Crow moved to adopt the Sub-Committee Report as a Committee Resolution. The motion was seconded by Representative Horst. The motion carried.

HR 6021: Dyslexia, Kansas board of education to study

Representative Rhoades gave a report to Committee members on the House Education Sub-Committee on Dyslexia. Representative Rhoades also informed Committee members of the language proposed by the Kansas Department of Education for the Resolution. (Attachment 5 and 6)

A question and answer session followed the Sub-Committee report.

Chairman Aurand asked Committee members to review the Dyslexia report and upon meeting on Monday, March 24th, further discussion will take place.

Chairman Aurand reminded Committee members of the Sub-Committee meeting for Virtual Schools which is to take place upon adjournment of this day's House session.

The Chairman adjourned the meeting at 10:00 A.M. The next meeting is scheduled for Monday, March 24, 2008.

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

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Testimony before the
House Committee on Education

on
SB 531 – Base Budget Increase for FY 2010

by

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

March 20, 2008

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to comment on **SB 531**, which increases the base budget per pupil by \$59 for Fiscal Year 2010.

KASB acknowledges and appreciates the work of legislators who have supported increased funding for public education, particularly in light of the *Montoy* school finance case and the Kansas Supreme Court's directions to provide suitable funding for public education. Those efforts to improve education funding have resulted in substantial increases in student achievement, and raised our state's already high ranking on education measures.

However, many serious needs remain unanswered. Although student test scores have risen significantly, too many students still remain at risk of academic failure, largely because school funding remains far below the level determined by the Post Audit study to be necessary to meet student outcomes. Too many children begin school unprepared, in part because of inadequate pre-school programs. Our schools face a growing shortage of qualified teachers, especially in critical areas like math, science and special education, because both salaries and support for induction, mentoring and professional development are too low.

Let us be clear; raising the base budget \$59 per pupil, an increase of 1.3 percent at a time when the consumer price index rose about 4 percent for the 12 months ending December, 2007, will do little to address those problems. But anything less will be even more inadequate. That is why KASB appears today as a proponent of this bill, but will continue to advocate for a school finance plan that truly meets the needs of all students.

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Attachment # 1

From time to time, even legislators who have been strong supporters of school funding express frustration at what they see as the continuing demand for “more” by school leaders. When, they ask, will it ever be enough? I would respectfully answer that schools will stop asking for more support when the state and federal government, colleges and employers, parents and patrons, teachers and other staff, stop asking *more of schools*. For example:

Although student proficiency in math and reading is at an all-time high, requirements for Adequate Yearly Progress continue to rise each year, and your Post Audit study indicated the base budget should increase approximately \$200 per year *in addition to inflation* to meet those requirements.

Although Kansas ranks near the top of the nation on the National Assessment of Education Progress mathematics tests, we are called upon to respond to a “crisis” in math, science, engineering and technology education by the Governor, legislators and business leaders.

Although the percentage of Kansans with high school diplomas and college degrees is at an all-time high, our Regents system raises questions about the preparation of students for college, and the job market continues to reward educational attainment and punish drop-outs.

Although special education expenditures and achievement scores are at unprecedented levels, parents and advocates continue to seek higher levels of services through the legislative, regulatory and judicial processes.

Although school boards have made significant commitments to raise salaries, in part by raising taxes to increase their commitment through the local option budget, teachers continue to seek not just a “cost of living” increase equal to the consumer price index, but salaries are competitive with other professions and other states.

As a result of these stubborn facts, KASB believes we must continue to advocate for funding based on what schools need to do the job they have been given, not based on what is available. We offer our sincere appreciation for those who share that goal, and commend those who believe that strengthening our public schools is the best economic development, social justice and quality of life investment we can make.

Thank you for your consideration.



Making public schools great for every child

KANSAS NATIONAL EDUCATION ASSOCIATION / 715 SW 10TH AVENUE / TOPEKA, KANSAS 66612-1686

**Mark Desetti, Testimony
House Education Committee
March 20, 2008**

Senate Bill 531

Mr. Chairman, members of the committee, thank you for the opportunity to come before you to share our thoughts on **Senate Bill 531**.

We support a move to out-year funding – in this case, the addition of a fourth year to the three year plan. We believe that the Legislature should be in the habit of staying ahead on school finance. Our schools need to be able to plan and waiting for the passage of the annual school finance bill has always been problematic when it came time to set budgets and negotiate contracts.

We also support additional funds being allocated on base state aid per pupil as the best way to give flexibility in the expenditure of those funds and the best way to address educator salaries. The education community is generally united in saying that the salary issue is now front and center. The 2010 Commission and the State Board of Education have both endorsed increases in BSAPP as the best way to get money into educator salaries.

But what do we see as wrong with **SB 531**?

SB 531 is a sub-inflationary increase in base state aid per pupil. It has been presented as a 2.2% increase but in terms of money districts can use, it is a 1.3% increase. This is because a significant portion of the funding goes to the increases in the employer contribution to KPERS required under earlier legislation.

The Legislature has recognized the problems facing KPERS through the large unfunded liability and in response passed legislation ramping up the employer contribution to the system. The state, for a variety of reasons, has often chosen to not pay in to KPERS the appropriate employer contribution and so has contributed significantly to the unfunded actuarial liability. Employees, it should be noted, have always made their statutorily mandated contribution.

During the course of the three year school finance plan the state has made significant increases in school funding. And while much of these increases were targeted to specific student populations, there was enough money to begin making progress on educator salaries.

The Kansas salary rankings have gone from about 42nd in the nation before the three year plan to 37th today. Everyone agrees that we need to continue to move forward. The State Board of Education wants to see Kansas move to at least the median of the states and so they have recommended an additional increase of \$41 on BSAPP for next year and a \$200 increase for the fourth year. The intent is to move salaries up.

Our fear is that what progress has been made recently will be lost if we return to the days of sub-inflationary increases to BSAPP. Unless other states also provide sub-inflationary increases, we will lose ground on educator salaries, exacerbating the looming teacher shortage.

Please do not think that by emerging from the school finance lawsuit, the work is done.

We urge this committee to strive, even in tough economic times, to at the very least maintain the progress you have made.

Report of the House Education
Subcommittee on Alternative
Teacher Licensure to the House
Education Committee

CHAIRPERSON: Representative Deena Horst

OTHER MEMBERS: Representatives Ann Mah, Bill Otto, Sheryl Spalding, and Ed Trimmer

March 2008

House Education Committee
Date 3-20-08
Attachment # 3

House Education Subcommittee on Alternative Teacher Licensure

TO THE HOUSE EDUCATION COMMITTEE

CONCLUSIONS AND RECOMMENDATIONS

The Subcommittee proposes the adoption of a resolution by the full House Committee on Education that would address the issues related to alternative teacher licensure.

BACKGROUND

Representative Clay Aurand, Chairperson of the House Education Committee, established a subcommittee to consider the subject of alternative teacher licensure as a means to address the teacher shortage in Kansas, after holding hearings on three 2008 bills that dealt with the issue (HB 2842, HB 2874, and HB 2903). Appointed to the subcommittee were Representatives Deena Horst, Chairperson, Ann Mah, Bill Otto, Sheryl Spalding, and Ed Trimmer.

The Subcommittee began by receiving information on the *Kansas Constitution*. Article 6, Section 2 of the *Kansas Constitution* grants the State Board of Education (SBE) general supervision of the public schools. Section 5 further emphasizes the general supervision authority of the SBE over public schools. Two Supreme Court cases affirm this authority (*State ex rel. Miller v. Board of Education (Peabody)*, 212 Kan. 482, Syl. 6 (1973); and *NEA Ft. Scott v. USD No. 234*, 225 Kan 607). Rules and regulations of the Kansas Department of Education provide details regarding teacher licensure.

The Subcommittee then received background information regarding what the Department of Education has endeavored to change with respect to the licensure requirements, in order to consider streamlining alternative licensure as a means to address the teacher shortage. Susan Helbert of the Department of Education indicated the Department approved a number

of changes to the rules and regulations in August 2007. Another round of changes is slated for a hearing in May 2008. The rules changes (adopted and proposed) address a number of issues relating to shortening and streamlining alternative program requirements; granting some alternative teachers a restricted (three-year) license under which to operate if they complete a shortened course of study within the three-year period; making it easier for out-of-state teachers to become licensed in Kansas; and related issues such as removing the prohibition on compensation paid to student teachers.

Scott Frank of Legislative Post Audit (LPA) summarized a portion of an audit entitled *School District Performance Audit Report – K-12 Education: Reviewing the Staff Recruitment and Retention Strategies Used by Kansas School Districts*. LPA had surveyed school superintendents to determine, among other things, what strategies superintendents would like from the State to ease licensing of teachers. The two responses indicated in the audit were to (a) ease licensing and certification requirements for teachers in general; and (b) ease licensing and certification requirements specifically for out-of-State teachers. Mr. Frank indicated the survey was conducted prior to the August 2007 rules changes by the Department of Education, so the responses might not reflect the current situation.

The Subcommittee asked some school officials why the current and proposed Kansas regulations are not sufficient.

Questioned were Diane Gjerstad, Wichita Public Schools; Dr. Rita Cook, Smoky Hill Education Service Center; Cheryl Semmel, Executive Director of United School Administrators of Kansas; Mark Desetti, Kansas chapter of the National Education Association (KNEA); and Tom Krebs, Kansas Association of School Boards (KASB).

Ms. Gjerstad responded that districts that can meet the rigor of the Kansas standards should not be required to use an institution of higher education to obtain teacher licenses. She stated this is costly and, because the Wichita District is currently using its own employees to provide the teacher training, the District should be allowed to license the teachers. After extensive discussion, it was this issue that became central to the subcommittee's work. HB 2903 was requested by Ms. Gjerstad on behalf of the Wichita District, and it would have allowed for districts and cooperatives to develop teacher licensure programs without using an institution of higher education. Ms. Gjerstad and KNEA presented an amendment to HB 2903, which KASB and others supported.

The Subcommittee heard from the KBOR and the Regents' institutions in response to this bill and the reasoning behind it. The

institutions reported they provide various alternative teacher credentialing programs. Some, it was learned, are shorter in duration than others and provide for streamlined coursework. Some alternative programs result in attainment of a Master's degree. Testimony was received indicating the existence of a KBOR policy restricting institutions from attracting candidates from other institutions' territory. All institutions indicated they were careful to maintain quality in their alternative programs.

Finally, the Subcommittee discovered that currently, the SBE approves content programs but relies on the National Council for Accreditation of Teacher Education (NCATE) to accredit the entity offering the teacher education programs. Universities are the only entities which have the ability to be NCATE accredited.

CONCLUSIONS AND RECOMMENDATIONS

The Subcommittee proposes the adoption of a resolution by the full House Committee on Education that would address the issues related to alternative teacher licensure.

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HOUSE CONCURRENT RESOLUTION NO. _____

By Committee on Education

A CONCURRENT RESOLUTION concerning teacher preparation programs and teacher licensure; urging the State Board of Education, the State Board of Regents and institutions of higher education to collaborate in the review of current alternative teacher preparation programs to determine if any changes should be made to such programs in order to alleviate the shortage of teachers which exists in the state.

WHEREAS, There was a shortage of 477 teachers in Kansas school districts at the beginning of school year 2007-2008; and

WHEREAS, The shortage of teachers in all teaching disciplines in the rural areas of the state and the shortage of teachers in the teaching disciplines of mathematics, science and special education on a state-wide basis is at a critical level; and

WHEREAS, The shortage of teachers is expected to grow worse as more teachers become eligible for retirement and the number of persons entering the field of education does not keep pace with the numbers of teachers who retire or leave the field of education each year; and

WHEREAS, A large number of graduates of Kansas teacher preparation programs leave the state for higher paying teaching positions in states other than Kansas or take higher paying positions in fields outside the field of education; and

WHEREAS, Many people who are making mid-career changes or who are retiring may consider teaching as a second career or a post-retirement position, but the cost and time involved in the completion of the traditional teacher preparation program which is necessary for teacher licensure can be prohibitive and discourages such people from choosing teaching as a second career; and

WHEREAS, The State Board of Education and several institutions of higher education have made significant efforts to increase the availability of alternative teacher preparation and licensure programs, such programs are not readily accessible to many persons desiring to enter such programs; and

WHEREAS, One of the greatest factors affecting a student's success in the classroom is teacher preparation; and

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WHEREAS, Institutions of higher education currently are in the best position to develop alternative teacher preparation programs: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That the State Board of Regents is directed to encourage institutions of higher education to develop alternative methods for providing teacher preparation which are more flexible than current methods including, but not limited to, internet-based programs, off-campus programs and weekend programs and to make suggestions which would reduce the cost of alternative teacher preparation programs; and

Be it further resolved: That the State Board of Regents is directed to encourage institutions of higher education to develop alternative teacher preparation programs specifically directed to meet the needs of students and teachers in urban schools; and

Be it further resolved: That the State Board of Regents is directed to encourage institutions of higher education to develop an alternative teacher preparation program that addresses the individual professional or pedagogical needs of a teacher candidate and under which a person could become licensed on an accelerated-basis; and

Be it further resolved: That the State Board of Regents is directed to investigate the use of master teachers in school districts or personnel at service centers to provide teacher preparation programs in the school districts; and

Be it further resolved: That the State Board of Regents, in collaboration with the State Board of Education, shall examine policies which establish geographic service areas for institutions of higher education and take steps to modify such policies that prevent the provision of alternative teacher preparation programs outside the geographic service area of an institution providing any such program; and

Be it further resolved: That the State Board of Regents, in

cooperation with the State Board of Education, should review and advertise scholarship programs available to students in teacher preparation programs in the hard-to-fill teaching disciplines of mathematics, science and special education; and

Be it further resolved: That the State Board of Regents and institutions of higher education which offer teacher preparation programs, in collaboration with the State Board of Education and local school districts, are directed to review current teacher preparation programs to determine if any changes should be made to such programs in order to alleviate the teacher shortage which exists in the state; and

Be it further resolved: That the State Board of Education is encouraged to continue to identify and adopt measures to provide quality teachers for Kansas classrooms through the use of alternative teacher licensure programs; and

Be it further resolved: That the State Board of Education is directed to identify financial incentives to attract persons to the field of education; and

Be it further resolved: That the State Board of Education, in collaboration with the State Board of Regents and institutions of higher education which offer teacher preparation programs, should promote the profession of teaching in Kansas and should actively recruit persons to enter into the teaching profession especially in the hard-to-fill teaching disciplines of mathematics, science and special education and in the under-served geographic areas of the state; and

Be it further resolved: That the State Board of Education should review the recruitment and retention initiatives of the Teaching Commission in Kansas and develop an action plan and a time line for the development of specific strategies to implement the initiatives; and

Be it further resolved: That the state Board of Education is directed to monitor and evaluate the implementation of rules and regulations adopted by the State Board in August of 2007 as well as rules and regulations which will be adopted in 2008 which

remove barriers to the licensure of persons as teachers and to determine if further regulatory changes are needed to enhance access to licensure of persons as teachers; and

Be it further resolved: That the State Board of Education and the State Board of Regents shall submit a report of the activities of such boards and institutions of higher education which offer teacher preparation programs in relation to this resolution and shall submit such report to the legislature on or before December 31, 2008; and

Be it further resolved: That the Chief Clerk of the House of Representatives provide an enrolled copy of this resolution to the Chairperson of the State Board of Education and the Chairperson of the State Board of Regents and that the State Board of Regents shall transmit copies of the resolutions to the deans of education at all public and private institutions of higher education which provide teacher education programs.

WHEREAS, the Kansas State Board of Education has made a strong commitment for all students to learn and perform well in school, which requires a focus on early literacy programs and appropriate diagnostic screening, including the screening of language processing; and

WHEREAS, the Kansas Legislature has made a strong commitment to help children with **disabilities, including** dyslexia and is determined to require that children with ~~dyslexia~~ disabilities be provided help and support within Kansas schools; and

WHEREAS, Federal law requires each school district to comply with appropriate teacher training to meet the needs of **students with disabilities, including dyslexia** ~~dyslexic students~~ as required in IDEA; and

WHEREAS, Federal law requires each school district to implement appropriate activities to ensure students with disabilities, including dyslexia, are appropriately screened at an early age and, where appropriate, identified as a child with **a disability** ~~dyslexia~~; and

~~WHEREAS, The Kansas Department of Education does not officially recognize the reading disability of dyslexia; and~~

WHEREAS, children with a disability who have difficulty learning to read;

WHEREAS, children with dyslexia have severe difficulty learning to read and need specific interventions by highly qualified instructors that have been trained to effectively deal with reading problems of those with dyslexia;

THEREFORE, BE IT RESOLVED THAT the Kansas Board of Education will **endeavor to:**

Ensure that early testing or screening will identify students with **a disability including** dyslexia ~~in Kansas public schools~~ and

Review current **Pre-K-12** reading diagnostic assessments to ensure that ~~dyslexic~~ reading problems are identified and analyzed;

Review teacher preparation standards to ensure knowledge of ~~make sure that at least one teacher at each grade level who is responsible for teaching reading has~~ appropriate instruction for ~~dyslexic students~~ **with disabilities, including dyslexia, are addressed; and**

~~Seek to identify students with dyslexia within one year of the student enrolling in public education;~~

~~Provide models~~ **Ensure evidence-based practices** of instruction that are specifically designed **and implemented** to address the reading problems of ~~students with dyslexia~~; and

Report to the Kansas Legislature at the beginning of the 2009 Legislative Session on the progress made ~~in~~ toward achieving ~~these objectives~~ this resolution.

House Education Committee
Date 3-20-08
Attachment # 5

HOUSE RESOLUTION No. 6021

By Committee on Education

3-13

House Education Committee
Date 3-20-08
Attachment # 6

9 A RESOLUTION urging the Kansas board of education to study dyslexia.

10
11 WHEREAS, the Kansas State Board of Education has made a strong
12 commitment for all students to learn and perform well in school, which
13 requires a focus on early literacy programs and appropriate diagnostic
14 screening, including the screening of language processing; and

15 ~~WHEREAS, the Kansas Legislature has made a strong commitment to~~
16 ~~help children with dyslexia and is determined to require that children~~
17 ~~with dyslexia be provided help and support within Kansas schools; and~~

18 ~~WHEREAS, Federal law requires each school district to comply with~~
19 ~~appropriate teacher training to meet the needs of dyslexic students as~~
20 ~~required in IDEA; and~~

21 ~~WHEREAS, Federal law requires each school district to implement~~
22 ~~appropriate activities to ensure students with disabilities, including dys-~~
23 ~~lexia, are appropriately screened at an early age and, where appropriate,~~
24 ~~identified as a child with dyslexia; and~~

25 ~~WHEREAS, The Kansas Department of Education does not officially~~
26 ~~recognize the reading disability of dyslexia; and~~

27 ~~WHEREAS, Children with dyslexia have severe difficulty learning to~~
28 ~~read and need specific interventions by highly qualified instructors that~~
29 ~~have been trained to effectively deal with reading problems of those with~~
30 ~~dyslexia. Now, therefore,~~

31 ~~Be it resolved by the House of Representatives of the State of Kansas:~~
32 ~~That the Kansas Board of Education is strongly encouraged to:~~

33 ~~Ensure that early testing or screening will identify students with dys-~~
34 ~~lexia in Kansas public schools;~~

35 ~~Review current K-12 reading diagnostic assessments to insure that dys-~~
36 ~~lexic reading problems are identified and analyzed;~~

37 ~~Review teacher preparation standards to make sure that at least one~~
38 ~~teacher at each grade level who is responsible for teaching reading has~~
39 ~~knowledge of appropriate instruction for dyslexic students;~~

40 ~~Seek to identify students with dyslexia within one year of the student~~
41 ~~enrolling in public education;~~

42 ~~Provide models of instruction that are specifically designed to address~~
43 ~~the reading problems of students with dyslexia; and~~

WHEREAS, the Kansas Legislature has made a strong commitment to help children with disabilities, including dyslexia, and is determined to require that children with disabilities be provided help and support within Kansas schools; and
WHEREAS, Federal law requires each school district to comply with appropriate teacher training to meet the needs of students with disabilities, including dyslexia, as required in IDEA; and
WHEREAS, Federal law requires each school district to implement appropriate activities to ensure students with disabilities, including dyslexia, are appropriately screened at an early age, and where appropriate, identified as a child with a disability; and
WHEREAS, Some children with a disability have difficulty learning to read: Now, therefore,
Be it resolved by the House of Representatives of the State of Kansas: That the State Board of Education will endeavor to:
Ensure that early screening will identify students with a disability including dyslexia; and
Review current Pre-K-12 reading diagnostic assessments to ensure reading problems are identified and analyzed; and
Review teacher preparation standards to ensure knowledge of appropriate instruction for students with disabilities, including dyslexia, are addressed; and
Ensure evidence-based practices of instruction are designed and implemented to address reading problems; and

- 1 Report to the Kansas Legislature at the beginning of the 2009 Legis-
- 2 lative Session on the progress made in achieving these objectives.

6-7