

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:35 p.m. on February 7, 2008, in Room 123-S of the Capitol.

Committee members absent:

Committee staff present: Sharon Wenger, Kansas Legislative Research Department
Carol Toland, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes Office
Matt Todd, Revisor of Statutes Office
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Senator John Vratil
Stuart Little, Shawnee Mission School District 512
Val DeFever, Schools for Quality Education
Mark Tallmlan, Kansas Association of School Boards
Scott Frank, Legislative Division of Post Audit
Dale Dennis, Deputy Commissioner, Kansas Department of Education

Introduction of bill

Senator Apple moved to introduce a conceptual bill concerning linear transition for high-density at-risk students, seconded by Senator Teichman. The motion carried.

SB 455 – School districts; high and low enrollment weightings; adjustments based on increases in the amount of base state aid per pupil

Senator John Vratil testified in support of **SB 455**. He explained the intent of the bill was to ensure fairness in the methods used to calculate low and high enrollment weightings through the school finance formula. He noted that currently low enrollment weighting is tied to base state aid per pupil. Whenever there is an increase in base state aid per pupil, the money available through low enrollment weighting increases. The bill is intended to tie high enrollment weighting to base state aid per pupil as well. The bill provides that, for every \$2.00 increase in base state aid per pupil, there would be one-pupil reduction in the dividing line between high enrollment weighting and low enrollment weighting. Currently, the dividing line is at 1,622 students. (Attachment 1)

Stuart Little testified in support of **SB 455** on behalf of Shawnee Mission School District 512. He informed the Committee that the Shawnee Mission School District platform for 2008 recommended changes to the funding formula, one of which was increasing the high enrollment weighting in proportion to the increase in the previous two years. For 2008, the new high enrollment threshold should be 1,592, or a decrease of 30 students. He noted that failure to make continued adjustments to high enrollment weighting maintains the inequity highlighted by the Legislative Division of Post Audit. (Attachment 2)

Senator Schodorf called attention to written testimony in support of **SB 455** submitted by Bob Vancrum on behalf of Blue Valley U.S. D. 229. (Attachment 3)

Val DeFever, Schools for Quality Education, testified in opposition to **SB 455**. The small districts which she represents are very concerned that the change in low enrollment weighting would mean less money for them. Ms. DeFever commented that, at a time when there are high expectations for all schools in Kansas, the change could be devastating for the smallest districts. She pointed out that small schools in rural Kansas experience the same increase in costs of delivering educational services as everyone else, but their dollars do not go any further than in metropolitan areas, and they are unable to pay more. (Attachment 4)

Mark Tallman, Kansas Association of School Boards, testified in opposition to **SB 455**. He called attention to the legislative resolution regarding school finance adopted by the KASB assembly, which was attached to

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:30 p.m. on February 7, 2008, in Room 123-S of the Capitol.

his written testimony. He pointed out that the resolution supports the idea of a multi-year funding plan, provided that the plan uses legislative cost studies as a minimum guideline. KASB is concerned that the bill would link increases in the base budget per pupil to increases in high enrollment weighting that would ultimately reduce the threshold for low enrollment weighting to 500 students. He noted that there was nothing in legislative cost studies which indicated low enrollment weighting should be reduced to that point. He noted that the cost of low enrollment weighting has already been substantially reduced. He further noted that the resolution reflects the goal that all districts will be able to provide adequate salaries for teachers and school leaders. In his opinion, providing greater funding increases to larger districts will make it harder for small districts to provide comparable salary increases, and the gap in salaries will continue to grow until the target is reached. (Attachment 5)

There being no others wishing to testify, the hearing on **SB 455** was closed.

SB 400 – School finance; bilingual weighting; calculation on head-count basis

For the Committee's information, Scott Frank, Legislative Division of Post Audit, distributed copies of excerpts from a 2006 Legislative Division of Post Audit cost study analysis on bilingual programs and services. He summarized the background information shown regarding the relationship between bilingual funding and services. (Attachment 6)

The hearing on **SB 400** was closed as there were no conferees wishing to testify.

Senator Schodorf opened a discussion on a previously heard bill, **SB 426** concerning the enrollment and general fund budget in certain districts affected by natural disasters. She recalled that committee members requested more information when the bill was discussed at the February 6 meeting.

In response to a request by Senator Vratil, Theresa Kiernan, Revisor of Statutes Office, distributed copies of a table which compared **SB 426** with the current law, K.S.A. 72-6447. (Attachment 7)

Dale Dennis, Deputy Commission, Kansas Department of Education, distributed copies of an example of the computation of the adjusted weighting for areas affected by disasters under **SB 426** for years two, three and four. (Attachment 8)

Senator Teichmna moved to recommend **SB 426** favorably for passage, seconded by Senator Lee. The motion carried.

In preparation for the hearings scheduled for February 11 and 12 on two bills concerning early childhood education, **SB 407** and **SB 408**, Sharon Wenger, Kansas Legislative Research Department, distributed copies of background information relating to the bills. (Attachment 9)

The meeting was adjourned at 2:15 p.m.

The next meeting is scheduled for February 11, 2008.

SENATE EDUCATION COMMITTEE
GUEST LIST

DATE: February 7, 2008

NAME	REPRESENTING
Scott Frank	LPTA
Diane Gjerstad	Wichita - USD 259
Dane Varnay	Howard, KS
DAVE PARSONS	Sedon KS
KATY COOK	RFE
Mark Tallman	KASB
MARK DEBETTI	KNEA
Michael Dexter	KWU
Stuart Little	Shawnee Mission
Benjamin Mungei	KWU
Till	KWU
Kristal Ball	KWU
Lady Bittel	CCC
Andee Mitchell	CCC
Bill Brady	SFFT
Sherry Thomas	CCC
Hilda Michavez	CCC
Amy Lewin	CCC
Julie McVerney	CCC

State of Kansas

JOHN VRATIL
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COMMITTEE ASSIGNMENTS
CHAIR: JUDICIARY
VICE CHAIR: EDUCATION
MEMBER: FEDERAL AND STATE AFFAIRS
ORGANIZATION, CALENDAR
AND RULES
SENTENCING COMMISSION
INTERSTATE COOPERATION

Vice President Kansas Senate

Testimony Presented to
The Senate Education Committee
By Senator John Vratil
February 7, 2008
Concerning Senate Bill 455

Good Afternoon. Thank you for the opportunity to appear before the Senate Education Committee in support of Senate Bill (SB) 455 concerning the calculation of high enrollment weighting and low enrollment waiting within the current school finance formula. The language in SB455 would interject fairness into the calculation process by establishing a procedure to ensure that when the Base State Aid Per Pupil (BSAPP) increases, the high and low enrollment weightings automatically adjust.

Beginning with the 2008-2009 school year, for every \$2 increase in the amount of BSAPP per pupil, the number of full-time equivalent enrollments used to determine if a district qualifies for high enrollment weighting would be reduced by one pupil. The number of full-time equivalent enrollments used in the calculation could not be reduced below 500 pupils. The low enrollment weighting would reduce by one pupil for every \$2 increase in the amount of BSAPP per pupil. The number of pupils used in the calculation could not be reduced below 499. The method of calculation described in SB 455 relies on a shared method that is uniform across both weighting mechanisms.

I ask that you support SB 455 in order to ensure fairness in the methods we use to calculate low and high enrollment weightings through the school finance formula.

A handwritten signature in blue ink that reads "John Vratil".

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Senate Education Committee
2-7-08 Attachment 1

STUART J. LITTLE, Ph.D.
Little Government Relations

Senate Education Committee

Testimony on Senate Bill 455

February 7, 2008

Senator Schodorf and Members of the Senate Education Committee,

I appear today on behalf of the Shawnee Mission School District 512 in support of Senate Bill 455.

Shawnee Mission School District is the state's second largest school district serving over 28,000 students in 35 elementary schools, 7 middle schools, and 5 high schools with 4,063 employees. The district covers 72 square miles in Johnson County. The district has been a strong supporter of the Legislature's continued funding of the school finance formula while pointing out areas where the formula needs to be amended to provide greater equity in funding. For example, while the available state average expenditure per pupil increased to \$10,642 in 2007-08, the amount of funding available to Shawnee Mission remains well below the state average at \$8,142. Two hundred and sixty-six of 296 districts in the state outrank Shawnee Mission in funding available for operations. Senate Bill 455 would help address that inequity.

The Shawnee Mission School District Legislative Platform for 2008 includes a number recommended changes to the funding formula among them is the issue of high enrollment weighting”

“Position D: Support the provision for high enrollment weighting in the formula by increasing the high enrollment weighting in proportion to the increase in the previous two years. For 2008 the new high enrollment threshold should be 1,592, or a decrease of 30 students.

Rationale: High enrollment weighting makes the formula more equitable since it helps bridge the gap between funding for large and small school district. There is no high enrollment funding increase in the third year of the plan. Failure to make continued adjustments to high enrollment weighting maintains the inequity highlighted by the Legislative Post Audit.”

Senate Bill 455 would implement this change by adjusting the high enrollment weighting by two pupils for each dollar added to BSAPP. It is clear from reviewing State Department of Education's review of the effects of SB 455 that it would benefit almost 60 districts serving a majority of the school children in Kansas.

Thank you and I would be happy to stand for questions.

TESTIMONY TO THE SENATE EDUCATION COMMITTEE
BOB VANCURUM, BLUE VALLEY USD 229 GOVERNMENT AFFAIRS
SPECIALIST
SUPPORTING SB455
FEBRUARY 7, 2008

Chairman Schodorf and Other Honorable Senators :

Blue Valley USD 229 supports SB 455, which would put in statute an understanding that was widely acknowledged in the education community since shortly after passage of the 1992 school finance formula, that the threshold for low enrollment weighting had been set too high in that formula and should be reduced (which would also increase the number used for high enrollment)– the agreement was often stated that there should be a 25 student reduction in the number of students used for that threshold for every \$50 increase in the base. This bill uses the exact same ratio, but states it slightly differently : for every \$2 increase in BSAPP, the number used for low enrollment would be reduced by one (and therefore increased by one for high enrollment).

The Legislative Post Audit study which was used by this legislature as its roadmap for many purposes in 2002 in determining what needed to be done to fix the formula to satisfy the legal challenge caused by the *MONTROY* case states very clearly that the low enrollment weighting starts at a level that is much too high to be supported by rational and nonpolitical arguments (one of the tests required by the courts in reviewing such cases). Putting such a phase in formula in statute would also set us on course to satisfying that last remaining major criticism by the LPA study and therefore be a bulwark against future litigation.

Senate Education Committee
2-7-08
Attachment 3



Schools for Quality Education

007 Bluemont Hall, 1100 Mid-Campus Drive, Manhattan, KS 66506 • (785) 532-5886 • www.coe.ksu.edu/sqe

Madame Chairman, members of the Senate Education committee thank you for allowing me to provide testimony today. The small rural school districts I represent have grave concerns about Senate Bill 455. The changes this bill would make in the low enrollment weighting would mean less money for these school. At a time when there are such high expectations for all the schools in Kansas such a change could be devastating for our smallest districts.

This committee has heard from many education experts and post audit about our state wide *teacher shortage*. The affects of this shortage *were first felt in our rural areas*. Not long ago post audit told the committee, “ the distance to a major metropolitan city affects the salaries a district would have to pay for a comparable teacher. Districts that are closer to such cites may be able to pay less.” A comparison shows that many of the small rural districts that are quite far from large metropolitan cities are not able to pay more, they are paying thousands of dollars less. They are paying less because they just don't have the ability to pay more.

The remedy that many districts have been forced to turn to , the *local option budget,(LOB)* is not much help in generating enough revenue to meet their needs. The superintendent from Neodesha told me this week that one mil in his district raised about \$28,000. That is a little less than the salary for one beginning teacher in his district.

Schools for Quality Education member districts are generally part of a farm community. Many of their board members are farmers and are conservative by nature. If they are not maxing out their LOB it may well be due to the fact that a mil generates a relatively small amount but the additional taxes could cause great hardship to their neighbors.

Earlier this week the committee heard testimony from school districts that were devastated by tornados and flood waters. All of these districts face uncertain futures. In some cases they have experienced an increase in students , in recent years, but for virtually all low enrollment districts a steady decline is the state of affairs. It would seem a great irony to give them a helping hand with the purposed legislation only to deal them a blow with SB455

The words of Greensburg superintendent Darin Headrick keeps ringing in my ears. “We owe our seniors a great year. It is the only senior year they will have.” He said the same for his sixth graders so there is little doubt he feels that way about the children in all other grades in Greensburg. I have a strong suspicion most superintendents in districts across the state have the same goal for their students. The only thing that might set them apart is our small schools administrators know all their kids and their families by name.

"Rural is Quality"

Senate Education Committee
2-7-08 Attachment 4

When Senator Umbarger spoke to the committee on Tuesday, he pointed out that many of Kansas counties had experienced natural disasters this past year. A large number of western Kansas went with out electricity for days, and even weeks due to ice storms. Droughts have plagued some of those same counties in recent years. Many communities are hanging on by the skin of their teeth. Expectations have not diminished and the cost of delivering educational services have not decreased in rural Kansas. Small schools experience the same increases in costs of good and services as everyone else. The changes recommended in SB455 could have a very adverse affect on these districts. I asked the committee to ponder their actions long and hard before adopting these changes.

Respectfully submitted
2-6-08
Val DeFever
Schools for Quality Education

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

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Testimony before the
Senate Education Committee

by

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

February 7, 2008

Madam Chairman and Members of the Committee;

In determined positions on bills in the Kansas Legislature, KASB must first be guided by the positions adopted by our Delegate Assembly. Our members have not considered the specific proposal contained in **SB 455**, but after extensive debate, delegates voted to adopt the attached resolution on "School Finance for Student Achievement." Based on that resolution, KASB appears as an opponent of **SB 455** for the following reasons.

Our position supports a multi-year school finance plan, provided that plan uses legislative cost studies as a minimum guideline. **SB 455** would link increases in the base budget per pupil to increases in high enrollment weighting that would ultimately reduce the threshold for low enrollment weighting to 500 students. We have not found anything in legislative cost studies which indicate low enrollment weighting should be reduced to that point. The outcomes cost study, for example, indicates enrollment weights "bottom out" at about 1,700, which is higher than the current weighting level.

Cost studies have indicated the current "weight" assigned to low enrollment weighting is too high along the cost curve, but show the current base budget per pupil is far too low. KASB has long suggested enrollment weightings could be reduced if the base were set at levels indicated by these studies. For 2008-09, Post Audit indicated the base budget, to meet performance standards, should be \$5,239 (excluding any inflationary adjustment). Instead, the base approved for 2009 is \$4,433.

It should also be noted the cost of low enrollment weighting has already been substantially reduced. By our estimate, low enrollment weighting accounted for 10.1 percent of statewide school district general fund authority in 1996-97, but will have been reduced to about 6.2 percent next year. As small schools continue to decline in enrollment and many larger districts continue to grow, and as features such as cost of living weighting are accessed, the share of low enrollment weighting will likely fall even further.

Senate Education Committee
2-7-08
Attachment 5

Finally, our resolution reflects the goal that all districts will be able to provide adequate salaries for teachers and school leaders. There is already a strong connection between district size and salaries, with large districts paying substantially more. At the same time, many small, rural districts have some of the greatest difficulty attracting qualified teachers. Providing greater funding increases to larger districts will almost certainly make it harder for small districts to provide comparable salaries increases, and the gap in salaries will continue to grow until the target is reached. The difference between the current enrollment threshold (1,662) and the target of 500 is a difference of 1,162. That means the base will have to increase \$2,324 before the target is reached. At \$59 per year, that will take nearly 40 years.

Thank your for your consideration.

2008 Legislative Resolutions

*Adopted by the KASB Delegate Assembly
December 1 & 2, 2007*

Resolution 1: School Finance for Student Achievement

The higher education level a student attains improves virtually every indicator of social and economic well-being, and is especially critical in response to growing international competition. Higher achievement has been mandated by the No Child Left Behind Act, the Kansas State Board of Education's performance targets as part of its school accreditation system, and the Legislature's requirement for a system based on measurable improvement in student performance.

The "three-year plan" passed in 2006 settled the school finance lawsuit, but did not provide adequate long-term funding to meet the Legislature's cost studies, rising performance requirements, teacher salaries and general inflation. Expecting school districts to bring all students to proficiency without additional resources threatens the opportunity for enrichment and excellence. To help all students reach or exceed proficiency standards, meet 21st century skill requirements and promote excellence, KASB supports the following:

- *Expand early childhood pre-kindergarten programs and fund all-day kindergarten as soon as possible.* The long-term academic and social benefits of these programs are clear, but the current funding mechanisms (at-risk funds, local revenues or budget reallocation) are fundamentally unfair. State funding for early education would allow districts to direct more resources to other areas in order to improve student achievement, such as high school.
- *Provide adequate base increases for salaries and other costs.* The \$59 base budget increase approved for FY 2009 represents only a 1.3 percent increase at a time when inflation is expected to rise by 2.4 percent in 2007 and 2.3 percent in 2008. Districts need to have consistent base adjustments that address inflationary concerns while providing for more competitive salaries, especially to allow extended learning opportunities for students and professional development time for teachers and school leaders. Districts with significant growth should be given an option to use a second count date to reflect their additional costs.

- *Increase the base budget to substantially reduce reliance on the Local Option Budget.* Funding provided through the base remains far below the level recommended by cost studies and other states with the highest levels of achievement. Funding based on actual costs will allow a substantial reduction in local option budgets. Replacing those dollars with state revenues could result in a significant reduction in local property taxes. An equalized LOB should continue to be available for use by local boards without any requirements for public vote (such as the current referendum requirement if the LOB exceeds 30 percent).
- *Focus on student needs.* To ensure all students can meet proficiency standards and support continued improvement, both poverty- and non-poverty-based at-risk funding should be increased. The school finance system should also reflect the costs of appropriate safety and security measures for students and staff, including a lower mileage threshold for state transportation aid to assist districts choosing to transport children living less than two-and-a-half miles from school for safety reasons.
- *Multi-year school finance.* KASB supports continuation of a multi-year school finance plan providing adequate funding to all districts using the Legislature's cost studies as a minimum guideline.

Kansas schools have made dramatic improvements in the past 10 years, but the challenge is not over. Nearly 20 percent of students still fail to meet state reading standards, and the numbers are even higher for math. Over 3,000 students drop out of school each year. Considering the economic and social consequences of academic failure, addressing this issue is not a merely a "want" but a "need." Even with the recent increase in school funding, Kansans are spending a lower percentage of their personal income to operate public schools than they did 10 years ago. We can afford to invest more in education, and the investment we make now will pay off many times over in the future.

2.2: BILINGUAL PROGRAMS AND SERVICES

State and federal laws require school districts to provide language-support services to students who aren't proficient in English based on the results of a standardized language assessment. Most recently, the No Child Left Behind Act has required states to establish standards and benchmarks for raising English proficiency. Districts may receive both State and federal funds to provide services to students with limited English proficiency, as follows:

State bilingual funding. Districts that operate a State-approved bilingual program (described below) are eligible for State funding for the time students spend with "bilingual-endorsed" teachers.

Federal Title III. Districts are eligible if they can show they have enough bilingual students to qualify for \$10,000 in aid from this federal program. (At the current rate, it would take about 110 students.) To reach that minimum, districts can enter into cooperative agreements with other districts.

Other sources. Districts that receive federal funding for migrant and refugee programs can use some of these moneys for language services. In addition, some districts have received special federal grants for specific programs.

During 2004-05, a total of 81 districts received State bilingual education funding, and estimated that they provided services to 24,524 students. According to the most recent Department of Education data, the most common first language spoken was Spanish, accounting for 82% of the students reported. The next most common languages were Vietnamese and Low German, each of which accounted for about 3% of the students. In all, Kansas districts reported 132 different first languages.

Many names and acronyms are used in referring to these students and the services they receive. For example, students sometimes are referred to as English Language Learners (ELLs) or as being Limited English Proficient (LEP). Services are sometimes called English as a Second Language (ESL) or English for Speakers of Other Languages (ESOL) services. Because the State's program and the participating students historically have been referred to as "bilingual," we are using that term in this report to encompass all these names and acronyms.

BACKGROUND: BILINGUAL PROGRAM REQUIREMENTS

To have a State-approved program and be eligible for State bilingual funding, districts must do the following:

Identify and assess students. Kansas Board of Education procedures require districts to give students a questionnaire to determine what language is spoken in the student's home and what the student's first language is. If the answer to either of these isn't English, the student's English proficiency must be assessed.

Develop a program and implement it. The Department has set curricular standards for bilingual students. These standards are intended to help districts gauge a student's proficiency for listening, speaking, reading, and writing English, and also to provide instructional strategies for teachers.

Have specially trained teachers. Districts receive State bilingual funding only for the time students spend with "ESL-endorsed" teachers, or teachers who are actively working toward an ESL endorsement, or paraprofessionals supervised by these teachers. To become endorsed, teachers must take a series of 5 or 6 university-level courses on issues and methods involved in working with culturally and linguistically diverse students, and must pass an examination. Any teacher can become endorsed, not just those who speak a foreign language.

Measure student progress and assess proficiency. Districts must establish procedures to monitor a student's progress while receiving ESL services. After a student becomes proficient in English, he or she exits the program and is also monitored, generally for two years.

Provide notification to the parents in their native language. To adequately notify non-English speaking parents of school activities, all notices sent home must be in English and in the parent's native language.

BACKGROUND: NUMBER OF STUDENTS FUNDED FOR BILINGUAL PROGRAMS AND SERVICES

Kansas provides funding to districts that meet State requirements for a bilingual program through a separate weight in the State's education finance formula. State funding is paid only for the "contact" hours bilingual students have with an ESL-endorsed teacher or a paraprofessional supervised by an ESL-endorsed teacher. Six contact hours represents one FTE bilingual student.

Under the current formula, for each FTE bilingual student the State pays districts an additional 39.5% of the Base State Aid Per Pupil (BSAPP). For 2005-06, this weight generated an additional \$1,682 in State funding for each FTE bilingual student.

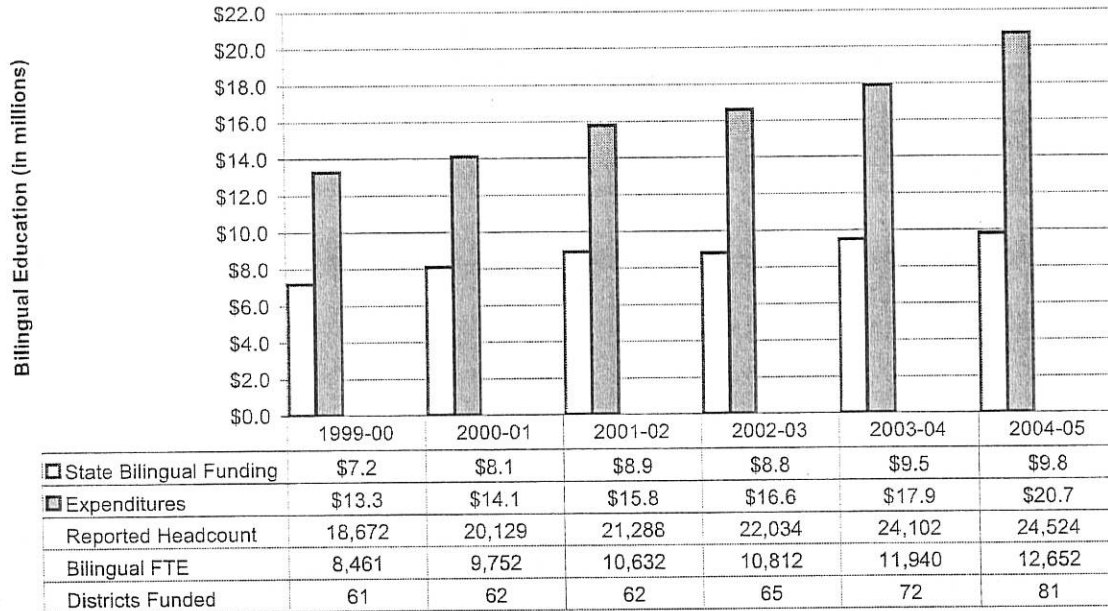
Figure 2.2-1 shows the trend in the amount of State funding provided to cover bilingual program costs, districts' reported expenditures for those programs, and the count of FTE bilingual students. As the figure shows, for the 2004-05 school year the State distributed \$9.8 million in bilingual funding to school districts.

The 2005 Legislature increased the bilingual weight from .20 to .395. Under the revised weight for 2005-06, districts will receive an estimated \$22.5 million, which is more than double the previous year's funding.

BACKGROUND: REPORTED BILINGUAL PROGRAM EXPENDITURES

During the 2004-05 school year, districts spent \$20.7 million from their Bilingual Education Funds, where all expenditures for bilingual students are supposed to be recorded (except for expenditures from federal funds). These reported expenditures are shown on *Figure 2.2-1*.

**Figure 2.2-1
State Bilingual Funding and Expenditures (a)
1999-00 to 2004-05**



(a) Adjusted for inflation to 2004-05 dollars.
Source: Department of Education data.

RESULTS: COMPARING STUDENTS COUNTED FOR BILINGUAL FUNDING PURPOSES WITH THE STUDENTS WHO ACTUALLY RECEIVED SERVICES

To make these comparisons, and to get a better handle on district services and expenditures for bilingual programs, we selected 10 districts to review in detail. Our sample included districts that reported having a large number of bilingual students, or had high bilingual expenditures in total or per student during 2003-04. These districts, which accounted for 68% of the FTE bilingual students that year, are shown on *Figure 2.2-2*.

We visited 8 of the 10 districts, and obtained and analyzed detailed student count, activity, and expenditure information for all 10 districts. Here are the results of our work:

1. NUMBER OF STUDENTS SERVED

Districts have not reported this number on a uniform, consistent basis. During this cost study, we heard that some districts with small numbers of bilingual students weren't reporting those students to the Department. For the 2003-04 school year, 229 districts reported they had no bilingual students. Although we didn't try to verify this information, the 2000 Census shows that 114 of these 229 districts had households with school-age children

where English wasn't spoken well. These Census data reflect a slightly different time period, but it seems unlikely that none of these 114 districts had any bilingual students.

In addition, the bilingual students that districts do report aren't always reported consistently. Although those numbers can fluctuate from year to year for legitimate reasons, Department officials noted that these figures are self-reported and aren't audited, that pre-kindergarten students sometimes were included and sometimes not, and that definitions changed slightly one year.

2. RELATIONSHIP BETWEEN FUNDING AND SERVICES

Funding bilingual education based on service contact hours doesn't link funding with need. State bilingual funding is distributed based on the number of minutes that bilingual services are provided by "endorsed" teachers or by paraprofessionals who are supervised by such teachers. However, districts are reimbursed for a small portion of the time bilingual students are in the classroom. This information is shown in *Figure 2.2-2*.

Figure 2.2-2 Comparing FTE Bilingual Students to Students Receiving Bilingual Services, and Showing State Bilingual Funding per Bilingual Student Served 2004-05				
District #, Name	State bilingual funding	Bilingual FTE used to calculate bilingual funding	# Students receiving services	State bilingual \$/student served
266 Maize	\$5,408	7.0	104	\$ 52
418 McPherson	\$ 1,159	1.5	15	\$ 77
457 Garden City	\$ 751,740	973.0	2,008	\$ 374
405 Lyons	\$ 41,720	54.0	102	\$ 409
500 Kansas City	\$ 1,362,519	1,763.5	4,063	\$ 335
259 Wichita	\$ 2,258,696	2,923.5	5,342	\$ 423
253 Emporia	\$ 565,157	731.5	1,235	\$ 458
480 Liberal	\$ 640,485	829.0	1,296	\$ 494
443 Dodge City	\$ 1,395,316	1,806.0	2,766	\$504
217 Rolla	\$ 23,951	31.0	37	\$ 647

Source: LPA analysis of data provided by sample districts.

The information presented in this figure raises two issues:

Even though districts are required to provide services to all bilingual students, the current funding formula treats them very unequally. As the figure shows, McPherson received a negligible amount of State bilingual funding, both in total and on a per-student basis, for the 15 bilingual students it served. During 2004-05, the district had one ESL-endorsed teacher, who traveled between elementary schools working with students one-on-one, and who provided one high-school-level class. Although the district incurred additional costs in providing these services, those services resulted in very few “countable” minutes for funding purposes.

In contrast, Rolla, with 38 bilingual students, received the highest level of State funding per student of any of the districts in our sample. Many of Rolla’s teachers had an ESL endorsement during 2004-05. Here’s an example of why that matters: an elementary teacher with an ESL endorsement who has one bilingual student in class all day generates bilingual funding nearly every minute of every day. The student is likely receiving what is called “modified instruction,” which means the teacher is adapting instruction in some way to make the content more comprehensible.

Even though these districts have the same responsibility for educating their bilingual students, the State provides them with very different resources for doing so.

Districts may not get funded for all the bilingual services they provide. Paraprofessionals provide services to many bilingual students—in some cases a paraprofessional may be the only person who speaks the student’s first language. However, districts may not be able to claim funding for all services paraprofessionals provide. For example, officials from Lyons said that, although paraprofessionals provide services to students in the high school and in pre-kindergarten, they couldn’t claim funding for their services because they didn’t have endorsed teachers at those levels to supervise the paraprofessionals.

In addition, some districts have an influx of students—particularly migrant students—after the official student count date for funding. Migrant students and their families move to or from an area based on the availability of work. For example, Liberal officials told us that 83 bilingual students enrolled after the September 20 count date. They were required to serve those students, but received no funding for them.

Neighboring states fund bilingual services based on headcount, not on service time provided. Oklahoma, Colorado, Missouri, Nebraska, and Iowa all base bilingual funding on headcount enrollments for bilingual students, not on the time they spend with an endorsed teacher. These states generally calculated bilingual aid by multiplying headcount by a weighting factor, and then by a base-level of state aid. (The bilingual weighting generated by our outcomes-based approach also uses headcounts of students, not contact hours.) Iowa and Colorado limit state funding to three and two years, respectively.

OTHER RESULTS: SERVICES AND EXPENDITURES

3. VARIATIONS IN BILINGUAL SERVICES PROVIDED

Districts use a wide variety of methods to provide English language services. This variation is summarized in *Figure 2.2-3*. The types of bilingual services provided depend on the number of bilingual students, how proficient they are in English, the number of endorsed teachers or paraprofessionals, and the overall financial resources available.

**Figure 2.2-3
Methods for Delivering Bilingual Services
2004-05**

	Dodge City	Emporia	Garden City	Kansas City	Liberal	Lyons	McPherson	Maize	Rolla	Wichita
Number of Bilingual Students Served	2,766	1,235	2,008	4,063	1,296	102	15	104	37	5,342
Bilingual Students served as a % of district enrollment	46%	25%	26%	20%	28%	11%	1%	2%	16%	11%
Pull-Out: The bilingual student is pulled out of a regular education class to receive instruction from a qualified teacher (an ESL-endorsed teacher or a paraprofessional assisting an ESL-endorsed teacher).	X		X	X	X	X	X	X	X	X
Push-in: An ESL-endorsed teacher comes into the regular classroom to give language assistance to the bilingual student		X	X			X				X
Modified Instruction: A regular education teacher who has an ESL endorsement "modifies" instruction so that the academic content is comprehensible.	X	X	X	X		X			X	X
Sheltered Instruction: The class is comprised solely of bilingual students and the academic subject matter is provided through "sheltered" or adapted instruction to teach both English and the academic content material.	X	X	X	X		X				X
ESL Class Period: Used in the secondary school setting, students receive ESL instruction during a regular class period and receive course credit.	X	X	X	X	X	X	X	X	X	X
Paraprofessional Support: An aide (preferably one who speaks the child's first language) provides instruction to the student in the classroom, and may provide individual language lessons outside the classroom.	X	X	X	X	X	X		X		X
Bilingual: All the students speak the same first language, and instruction is provided in their native language, with the gradual introduction of English. Dual Language: Both native English and non-English speaking students are in the same class. Half the instruction is in English and half in the non-English language.	X	X	X							X

Source: LPA survey of school districts.

For example, because McPherson has 15 bilingual students scattered throughout grade levels and different buildings, it provides many of its students with one-on-one assistance with an endorsed teacher for approximately one hour per week. By contrast, in Dodge City, where 46% of students were classified as bilingual in 2004-05, many students participate in sheltered instruction—classes comprised solely of bilingual students where the presentation of the subject matter is adapted to teach both English and academic content material.

4. EXPENDITURES FOR BILINGUAL PROGRAMS

In providing bilingual services, our sample districts spent much more than they received in State bilingual aid. State law requires that all expenditures for bilingual services, regardless of funding source, be recorded in the Bilingual Education Fund. The only exception is spending from federal funds, which usually is reported separately (although Emporia and Kansas City both reported federal fund expenditures in their Bilingual Education Funds). We found that districts don't report their bilingual spending consistently, which makes it difficult to compare expenditures per student.

We asked our sample districts to report all expenditures they made to provide bilingual services, regardless of funding source. We reviewed those expenditures at a high level to ensure they were reasonably related to providing bilingual services, and represented direct costs to the programs. We removed indirect costs (such as allocations of administrative salaries or utilities) when we were able to identify them. We did not review detailed expenditure documentation.

As *Figure 2.2-4* shows, our sample districts reported spending more on bilingual services than they received in State bilingual funding. In general, they told us they used General Fund or federal moneys to pay for their programs. Most often the additional moneys districts reported spending were federal funds, such as Title III, which must be spent to provide services to bilingual students.

Most of the bilingual expenditures our sample districts reported were for salaries and benefits. Across the State, all districts with bilingual programs reported that 94% of expenditures were for salaries and benefits. For the 10 districts in our sample it was 89%. Non-salary expenses were generally for tuition and professional development for staff, classroom books/supplies for students, and computers.

Most of our sample districts said they would spend the additional bilingual funding they received in 2005-06 to hire more staff. State bilingual funding more than doubled, from \$9.8 million in 2004-05 to \$22.5 million, for the 2005-06 school year as a result of actions by the Legislature during the 2005 special legislative session.

**Figure 2.2-4
Expenditures for Bilingual Services
2004-05**

District #, Name	State Bilingual Funding	Total Reported Expenditures	State Bilingual Funding as % of Total Expenditures	Reported Expenditures	
				Expenditures from Bilingual Fund	Expenditures from other funds
418 McPherson	\$1,159	\$57,256	2%	\$52,673	\$4,583
266 Maize	\$5,408	\$99,567	5%	\$98,840	\$727
217 Rolla	\$23,951	\$81,527	29%	\$80,117	\$1,410
405 Lyons	\$41,720	\$189,245	22%	\$189,245	\$0
253 Emporia	\$565,157	\$1,342,662	42%	\$1,318,548	\$24,114
480 Liberal	\$640,485	\$1,044,172	61%	\$920,674	\$123,498
457 Garden City	\$751,740	\$1,179,685	64%	\$1,029,029	\$150,656
500 Kansas City	\$1,362,519	\$1,949,350	70%	\$1,949,350	\$0
443 Dodge City	\$1,395,316	\$1,669,654	84%	\$1,394,929	\$274,725
259 Wichita	\$2,258,696	\$6,121,075	37%	\$5,548,166	\$572,907
Totals	\$7,046,151	\$13,734,193	51%	\$12,581,573	\$1,152,620

Source: LPA analysis of data provided by sample districts.

Figure 2.2-5 shows that some districts plan to hire more staff—including teachers, para-professionals, and translators—to work with bilingual students. Two districts with small programs, Maize and Rolla, said they would use the additional money to reduce the amount they currently draw from their General Funds.

**Figure 2.2-5
How Districts Plan To Spend Additional Bilingual Funding**

District #, Name	Hire More Staff	Rely Less on Other Funds	Staff Training	Salary Increases	Text Books & Supplies	New Programs
418 McPherson				X		
266 Maize		X				
217 Rolla		X				
405 Lyons	X				X	
253 Emporia	X			X		
480 Liberal						Initiate: Dual language program, sheltered instruction & immersion class. Adopt bilingual curriculum in middle schools
457 Garden City	X	X				Expand summer school; more tutoring before and during school; after-school program at all grade levels
500 Kansas City	X		X			
443 Dodge City	X				X	
259 Wichita	X		X			New intake center; expand programs in neighborhood schools
Total	6	3	2	2	2	3

Source: LPA survey of the school districts

Senate Bill No. 426

Applies to: U.S.D. No. 101, Erie, U.S.D. No. 257, Iola, U.S.D. No. 367, Osawatomie, U.S.D. No. 422, Greensburg, U.S.D. No. 445, Coffeyville, U.S.D. No. 446, Independence, U.S.D. No. 461, Neodesha and U.S.D. No. 484, Fredonia.

Requires a declaration of disaster under federal and state law.

Requires a loss in enrollment of at least 25 pupils or at least 2% of the district's enrollment because of the loss of housing caused by the disaster.

Disaster means: The occurrence of widespread or severe damage, injury or loss of life or property resulting from any natural or manmade cause including, but not limited to, fire, flood, earthquake, tornado, wind, storm, drought, epidemics, air contamination, blight, infestation or explosion.

Benefit: When computing the general fund budget of a school district for the second, third and fourth school years following the base school year, the enrollment of the school district shall be the greater of:

(1) The enrollment of the district as defined by subsection (e) of K.S.A. 72-6407, and amendments thereto; or

(2) the enrollment of the school district in the base school year less any enrollment attributable to the special education weighting, school facilities weighting, ancillary school facilities weighting, cost of living weighting and preschool-aged at-risk pupils in the base school year; plus any enrollment attributable to the special education weighting, school facilities weighting, ancillary school facilities weighting, cost of living weighting and preschool-aged at-risk pupils in the current school year.

[Base school year is 2006-2007.]

K.S.A. 72-6447

Applies to: Any school district suffering a disaster.

N/A

Requires a loss in enrollment as a result of the disaster.

Disaster means: The occurrence of widespread or severe damage, injury or loss of life or property resulting from flood, earthquake, tornado, wind, storm, drought, blight or infestation.

Benefit: When computing the general fund budget of the district for the second school year following the disaster, the enrollment of the districts shall be the greater of:

(1) The enrollment of the district as defined by subsection (e) of K.S.A. 72-6407, and amendments thereto; or

(2) the enrollment of preschool-aged at-risk pupils, if any, plus the average of the enrollment for the current and the preceding three school years, excluding the enrollment of preschool-age at-risk pupils in each such year.

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SENATE BILL 426
EXAMPLE

	2006-07	2008-09	Difference
FTE Enrollment	1,165.5	1,137.0	28.5
Total Weighting	1,880.7		
Special Education	270.1		
School Facilities	0		
Ancillary School Facilities	0		
Cost of Living	0		
Four-Year-Old At-Risk	12.0		
TOTAL	1,598.6	1,598.6	
Special Education		325.1	
School Facilities		27.5	
Ancillary School Facilities		0	
Cost of Living		0	
Four-Year-Old At-Risk		12.0	
TOTAL		1,963.2	

Dale Dennis
Dept. of Education

Senate Education Committee
2-7-08
Attachment 8

Early Childhood Education Proposals

SB 407

Current

Children's Cabinet

Pre-Kindergarten Pilot Program - Provides preschool classrooms; improves the quality of preschool programs through increased teacher wages and education, extended classroom hours, a social service component, and program evaluation. Pilots in 14 counties. SFY 2007 actual expenditures \$2.7 million.

Department of Social and Rehabilitation Services

Kansas Early Head Start Program – Serves low-income families with infants and toddlers and pregnant women. There are 13 Kansas Early Head Start programs serving 32 counties in Kansas. SFY 2007 actual expenditures from all funding sources \$9.8 million.

Proposed

Both programs would move to the Kansas Department of Education.

SB 408

Current

Department of Health and Environment

Infant / Toddler Services of Kansas - Program that serves children with special needs from birth to the age of three. SFY 2007 actual expenditures from all funding sources were \$7.8 million.

Proposed

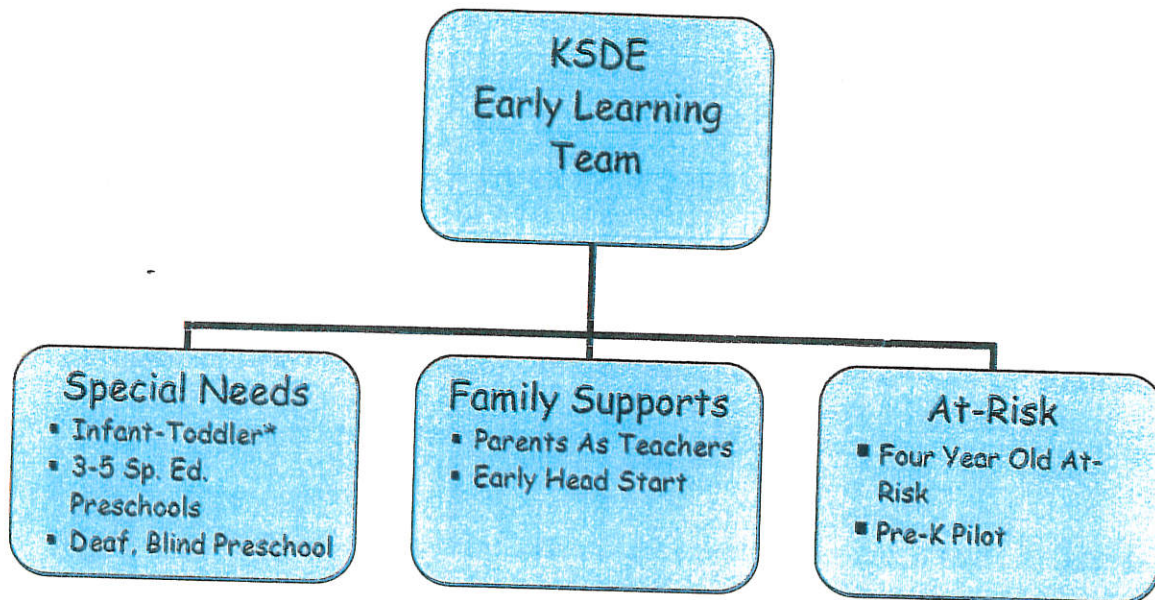
Infant/Toddler Services of Kansas would move to the Kansas Department of Education.

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Attachment 9*

**Figure 2-4
Programs Categorized by Administering State Agency and Primary Service Category**

	Kansas State Department of Education	Kansas Department of Health and Environment	Kansas Department of Social and Rehabilitation Services	Kansas Children's Cabinet	Kansas State School for the Deaf & Kansas State School for the Blind	Kansas Department of Transportation	
Education Services	<p>4-Year-Old At-Risk <i>100% State funded</i></p> <p>Parents As Teachers <i>100% State funded</i></p> <p>Special Education (for ages 3-5) <i>79% State funded</i></p>	<p>Infant-Toddler Services (Tiny-K) <i>58% Federally funded</i></p>	<p>Kansas Early Head Start <i>100% Federally funded</i></p>	<p>Pre-K Pilot <i>100% State funded</i></p> <p>Smart Start <i>100% State funded</i></p>	<p>Preschool Classroom for the Deaf <i>100% State funded</i></p> <p>Preschool Classroom for the Blind <i>74% State funded</i></p>		
Health Services	<p>Child & Adult Care Food <i>100% Federally funded</i></p>	<p>Child Health <i>98% Federally funded</i></p> <p>Healthy Start Home Visitors <i>62% State funded</i></p> <p>Immunizations <i>97% Federally funded</i></p> <p>Infant-Toddler Services (Tiny-K) <i>58% Federally funded</i></p> <p>WIC <i>70% Federally funded</i></p> <p>Newborn Hearing Screening <i>71% Federally funded</i></p> <p>Newborn Metabolic Screening <i>100% Federally funded</i></p>					
Social and Safety Services			<p>Child Care Assistance <i>67% Federally funded</i></p> <p>Kansas Early Head Start <i>100% Federally funded</i></p> <p>Therapeutic Services to Preschoolers <i>100% State funded</i></p>	<p>Community-Based Child Abuse Prevention <i>100% Federally funded</i></p> <p>Smart Start <i>100% State funded</i></p>		<p>Child Passenger Safety <i>84% Federally funded</i></p>	

Note: The Kansas Early Head Start, Smart Start, and Tiny-K programs are shown twice because they provide primary services in two service categories. Also, the predominant source of funding for each program is shown in italics.
Source: LPA analysis of State organizational structure.



*Infant-Toddler is also referred to as Tiny-K.

NOTE: Child and Adult food programs will remain in the Nutrition and Wellness team.

2010 Commission