

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:30 p.m. on January 22, 2009, in Room 545-N of the Capitol.

All members were present except:
Senator Tim Huelskamp- excused

Committee staff present:
Martha Dorsey, Kansas Legislative Research Department
Sharon Wenger, Kansas Legislative Research Department
Theresa Kiernan, Office of the Revisor of Statutes
Matt Sterling, Office of the Revisor of Statutes
Dorothy Gerhardt, Committee Assistant

Conferees appearing before the committee:
Rochelle Chronister, Chairperson, 2010 Commission
Sharon Wenger, Principal Analyst, Kansas Legislative Research Department

Others attending:
See attached list.

Introduction of Legislation

An act concerning schools relating to personal financial literacy courses, #9RS0344, co-sponsored by Senator Schodorf and Senator Vratil, was introduced.

Senator Teichman moved to introduce the bill. The motion was seconded by Senator Abrams. Motion carried on a voice vote.

Approval of Minutes

Senator Teichman moved to approve the minutes of January 14, 2009 and January 15, 2009 as written. The motion was seconded by Senator Abrams. Motion carried on a voice vote.

Report of the 2010 Commission to the 2009 Kansas Legislature

Rochelle Chronister, Chairperson, 2010 Commission, presented a report on conclusions and recommendations of the Commission. (Attachment 1) The list of six recommendations and proposed legislation is attached. She did caution the committee that revenue projections were more optimistic at the time the report was created. These recommendations include:

The Legislature approve a three-year school finance plan extending current state law through school year 2012-2013

Approve a Professional Development Program for the 2009-2010 school year totaling \$6,250,000

Approve a budget of \$630,000 for the Kansas Department of Education for the 2009-2010 school year for use in leadership initiatives

Legislation extending the state law allowing a second student count date for school districts meeting certain criteria

Commission continue to monitor the progress of the Early Learning Coordinating Council and request a report on the Council's work next year

Commission continue to monitor activities in the areas of retaining teachers and eliminate the teacher shortage

CONTINUATION SHEET

Minutes of the Senate Education Committee at 1:30 p.m. on January 22, 2009, in Room 545-N of the Capitol.

Presentation of Interim Reports

Sharon Wenger, Principal Analyst, Kansas Legislative Research Department, presented summaries on the following Interim Reports:

Report of the Joint Committee on Legislative Educational Planning to the 2009 Kansas Legislature (Attachment 2).

Report of the Special Education Funding Task Force to the 2009 Kansas Legislature (Attachment 3).

Report of the Kansas Autism Task Force to the 2009 Kansas Legislature (Attachment 4).

Kansas Technical College and Technical School Commission (Attachment 5).

Chairman Schodorf asked Dale Dennis, Deputy Commissioner, Kansas Department of Education, if he had given additional thoughts that might be beneficial to help flexibility of budgeting. He stated one option would be to increase the contingency reserve allowing more flexibility in moving funds from one account to another. Chairman Schodorf encouraged him to continue exploring options.

The next meeting is scheduled for January 27, 2009.

The meeting was adjourned at 2:20 p.m.

EDUCATION COMMITTEE GUEST LIST

DATE: January 22, 2009

NAME	REPRESENTING
Sue Stern	SBOE
John Dougherty	ESU
P. Christopher	2010
Jimmie Roe	KCSL
Alec Thompson	OJA
Ulgh Keck	Hein Law Firm
Diane Gjerstad	Wichita Public Schools
Bob Vannoy	Blue Valley Schools
Dodie Wellshear	USA/Kansas
Bill Brady	SFFF
Tom Kuhl	KASB
Shannon Bell	LGB
Doug Bowman	CCECDS
Mike Reed	K12 Inc.

STATE OF KANSAS

ALAN D. CONROY
Director
RANEY L. GILLILAND
Assistant Director for Research
J.G. SCOTT
Chief Fiscal Analyst
MARY K. GALLIGAN
Assistant Director for Information Management



STAFF
LEGISLATIVE COORDINATING COUNCIL
INTERIM COMMITTEES
STANDING COMMITTEES
LEGISLATIVE INQUIRIES

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January 20, 2009

AN OPEN LETTER FROM THE 2010 COMMISSION CHAIRPERSON

For the past three and one-half years, the 2010 Commission has been studying the Kansas education system. We have found many things that surprised some of us. Some which pleased us, while others did not. As the State of Kansas and the country finds itself in the grip of a national recession it seems to be a good time to review some of the best "practices" that we have been able to identify. These are the things that I believe, as Chairperson of the 2010 Commission and someone who has been involved with school finance since I became a board member for the Neodesha School District in 1971, that we should fight to insure are retained for our education system. 2010 Commission members have traveled hundreds of miles across the state to large, medium, and small schools in rural, urban, and suburban settings; listened to hundreds of educators, auditors, lobbyists, and citizens; heard unending reports and discussed until we were "blue in the face." We have written reports that we wondered if anyone read, and have seen the Governor and Legislature agree with our early childhood recommendations, while ignoring many others.

The Commission understands that this Legislative Session and the next, and perhaps the one after, will be focused on trying to balance the budget for our state. We know that it will be a difficult task, but we ask that you keep these items in sight as goals for Kansas schools. We believe they illustrate the reason the best of our schools are reaching the status of Blue Ribbon Schools; hundreds of students are passing and excelling in math, reading, science, and writing as shown by the statewide performance examination; and nearly every school in the state is improving every year. That is a remarkable accomplishment!

1. Principals must be the EDUCATIONAL leaders of their schools. Too many principals are isolated and not given the opportunity to learn how to be educational leaders. Providing an opportunity for development of leadership skills is one of the most inexpensive and successful practices we can provide.
2. Teachers must have access to high quality, relevant professional development content and given time, on a regular basis, where they can work cooperatively with and across grades for their age group and subject matter. They must identify the tools they need and learn how to best use them together in their individual schools.
3. New teachers need master teachers as their mentors.
4. At-risk students need the special attention that is being provided by individualized curricula, before and after school help, summer school and an investment in early childhood education. We know that the earlier problems are identified the earlier they can be solved, often preventing longer and more costly solutions later in their educational lives.

This is not "rocket science." Insuring these principles are followed will help education survive the financial hard times until we can again make significant financial contributions.

Rochelle Chronister
Chairperson of the 2010 Commission

Report of the 2010 Commission to the 2009 Kansas Legislature

CHAIRPERSON: Ms. Rochelle Chronister

VICE-CHAIRPERSON: Dr. Ray Daniels

RANKING MINORITY MEMBER: Senator Jean Schodorf, and; Representatives Clay Aurand and Sue Storm

NON-LEGISLATIVE MEMBERS: Carolyn Campbell; Stephen Iliff; Dennis Jones; Emile McGill; Barb Hinton, Post Auditor (or designee); and Attorney General's designee; Lee Urban

STUDY TOPICS

The Commission has authority to:

- Conduct ongoing monitoring of the school district finance act;
- Evaluate the school district finance act and determine if there is a fair and equitable relationship between the costs of the weighted components and assigned weightings;
- Determine if additional school district operations should be weighted;
- Review the amount of base state aid per pupil and determine if the amount should be adjusted;
- Evaluate the system of financial support, reform and restructuring of public education in Kansas and in other states to ensure that the Kansas system is efficient and effective;
- Conduct hearings and receive and consider suggestions for improvements in the educational system from teachers, parents, the Kansas Department of Education the State Board of Education, other governmental officers and agencies, and the general public;
- Make recommendations it deems necessary to guide the Legislature to fulfill goals established by the Legislature in meeting its constitutional duties.

December 2008

2010 Commission

REPORT

CONCLUSIONS AND RECOMMENDATIONS

In carrying out its mandated duty of monitoring the School District Finance and Quality Performance Act, the 2010 Commission spent a great deal of time listening to school district officials and reviewing the progress school districts have made since the inception of the Commission. As shown later in this report, Kansas students have made great academic strides over the past several years. According to school officials, this is largely due to the infusion of school funding, particularly the large amount of funding directed at helping at-risk students. Additionally, school district officials frequently testified of the importance of multi-year funding which also has been helpful in ensuring success in Kansas public schools.

Considering this, the 2010 Commission makes the following recommendations:

- The Legislature should approve a three-year school finance plan which extends current state law through school year 2012 - 2013 that provides for increases in state aid based upon the Consumer Price Index - Urban.
- The Legislature should approve a Professional Development Program at the Kansas Department of Education for the 2009-2010 school year totaling \$6,250,000.
- The Legislature should approve a budget of \$630,000 for the Kansas Department of Education for the 2009-2010 school year for use in leadership initiatives.
- The Legislature should extend the state law which allows for a second student count date for school districts meeting certain criteria related to increased students of military families, for an additional four years. In addition, this second student count should be a "net" increase count.
- The Commission will continue to monitor the progress of the Early Learning Coordinating Council and will request a report on the Council's work next year.
- The Commission recognizes that much has been done in the state to retain teachers and eliminate the teacher shortage. However, the Commission will continue to monitor activities in this area.

Proposed Legislation: The Commission requests the introduction of one bill related to extension of the second court date for school districts.

BACKGROUND

The 2006 Legislature created the 2010 Commission, which is composed of eleven members, nine voting and two serving as *ex officio* nonvoting members. The statutory duties of the Commission include:

- Monitoring the implementation and operation of the School District Finance and Quality Performance Act and other provisions of law relating to school finance and the quality performance accreditation system;
- Evaluating the School District Finance and Quality Performance Act and determining if there is a fair and equitable relationship between the costs of the weighted components and assigned weightings;
- Determining if existing weightings should be adjusted;
- Determining if additional school district operations should be weighted;
- Reviewing the amount of base state aid per pupil and determining if the amount should be adjusted;
- Evaluating the reform and restructuring components of the Act and assessing the impact thereof;
- Evaluating the system of financial support, reform and restructuring of public education in Kansas and in other states to ensure that the Kansas system is efficient and effective;
- Conducting hearings and receiving and considering suggestions from teachers, parents, the Department of Education, the State Board of Education, other governmental officers and agencies, and the general public concerning suggested improvements in

the educational system and the financing thereof;

- Making any recommendations it deems necessary to guide the Legislature to fulfill goals established by the Legislature in meeting its constitutional duties to: provide for intellectual, educational, vocational and scientific improvement in public schools and make suitable provision for the finance of the educational interest of the state;
- Examining the availability of revenues to ensure adequate funding of elementary and secondary education in the state;
- Examining voluntary activities, including extracurricular activities, which affect educational costs;
- Monitoring and evaluating associations and organizations that promote or regulate voluntary or extracurricular activities including, but not limited to, the Kansas State High School Activities Association; and
- Providing direction to the Legislative Division of Post Audit school finance audit team and receiving performance audits conducted by the team.

The statute authorizing the Commission will sunset on December 31, 2010.

The Commission is to submit an annual report to the Legislature on the work of the Commission.

COMMITTEE ACTIVITIES

Monitoring of the School District Finance and Quality Performance Act

The Commission used a variety of methods to carry out its statutory responsibility of

monitoring the School District Finance and Quality Performance Act (SDFQPA).

Providing a foundation for the work of the Commission in calendar year 2008, Dr. Andy Tompkins, Dean of the College of Education at Pittsburg State University, provoked thought in a presentation entitled: *How Are Our Schools and Our Expectations of Our Schools Changing?*

Dr. Tompkins described two proposals recently presented by national groups seeking change in the American school system.

The Partnership for 21st Century Skills proposes:

- Learning academic content through real-world examples, applications, and experiences both inside and outside the school;
- Becoming globally aware and increase financial, business, and civic literacy; and
- Undertaking high quality assessments.

The Commission on the Skills of the American Workforce proposes:

- Creating board examinations for core subjects at the end of 10th grade with students who pass the exam moving to post secondary education;
- Moving students out of public school earlier, cost savings would be used to hire more highly qualified teachers and invest in early childhood education; and
- Closely tying education with workforce needs.

A Kansas Association of School Board's presentation presented data from a variety of sources showing:

- Educational attainment affects earnings, and the impact is increasing;
- High income states are highly likely to have high educational attainment;

- Educational attainment matters far more than low tax rates to a state's economic well being, as measured by personal income and poverty rates.

Among the Plains States (Kansas, Colorado, Missouri, Nebraska, Iowa, Minnesota, and North and South Dakota), Kansas has the third highest per capita income, trailing only Colorado and Minnesota. Colorado and Minnesota are the only two states that exceed Kansas on educational outcomes, and both have higher total tax burdens than Kansas. The three lowest earning states - Missouri, South Dakota, and Oklahoma - have the highest poverty rates in the region, despite having some of the lowest tax rates. These three states also have the lowest overall educational attainment in the region.

At its July 2008 meeting, Regent Gary Sherrer gave Commission members several suggestions for improving education in the State:

- Increase integration of performance-based funding in the current funding formula. This new funding model could include:
 - Paying nationally certified teachers an extra \$5,000 a year for ten years;
 - Funding pilot programs in school districts based on student performance providing incentives for educators;
 - Providing financial rewards to buildings that performed and met the standards of the state tests.
- Increase interactive distance learning.
- Kansas has not done what could be done with interactive distance learning. Retired teachers could be utilized for interactive distance learning, and rural communities would benefit from the program.

- Increase principals' leadership initiatives.

In addition to considering these educational issues, the Commission heard several completed performance audits focusing on specific educational issues, including review of the following:

- *Reviewing Issues Related to Special Education Funding;*
- *Determining the Reasons for Variations in Virtual School Costs;*
- *Estimating the Impact of a Second Count Date on School District Funding;*
- *Assessing the Quality of English as a Second Language Preparation in Kansas Teacher Education Program; and*
- *School Districts' Use of Additional Funding.*

Specific School Finance State Aid Budget Review

Since the creation of the 2010 Commission, Commission members have visited school districts all across the State to see the realities of public school life for themselves. In addition, hundreds of public school administrators and teachers have provided testimony at Commission meetings. One recurring recommendation has been that multi-year funding as provided in the School District Finance and Quality Performance Act (the Act) has done a great deal to ensure the ongoing success of Kansas schools.

The Act mandated that state aid increases be based upon the Consumer Price Index - Urban. The law mandating this expires on June 30, 2010. The Commission recommends that the Legislature amend this law by extending it for three additional years which would require the total amount of state aid, except state aid for special education and related services, be

increased by not less than a percentage equal to the percentage increase in the Consumer Price Index - Urban during the preceding fiscal year.

Teacher Shortage Issue

At its August 2008 meeting, Dr. Alexa Posny, Commissioner, Kansas Department of Education, set the stage for this discussion by highlighting the following statistics:

- 40 percent of Kansas teachers leave the field after seven years;
- 36 percent of Kansas teachers can retire within five years;
- 50 percent of reported personnel are over 45, and 36 percent are over 50;
- 12 percent fewer students have gone into teaching over the past six years;
- In June 2008, there were 846 teacher vacancies across the state; and
- In August 2008, an estimated 375 teacher vacancies remained.

Dr. Posny went on to state reasons teachers leave the teaching profession:

- Isolation from colleagues;
- Assignments outside their area of training;
- Lack of appreciation or respect;
- Feeling discouraged and frustrated;
- Feeling left out of the decision making;
- Poor school management and not enough support from administration;
- Lack of classroom resources;
- Too many regulations;
- Lack of mentoring or induction programs;
- Large class size;
- Undisciplined and poorly motivated students;
- Uninvolved parents;
- Unreasonable expectations; and
- Lack of resources.

Dr. Posny described the large number of teacher licensure regulatory changes made in the past year by the Kansas Department of Education

which provide greater flexibility in the licensing process in an effort to help alleviate the teacher shortage crisis.

At its July 2008 meeting, Dr. Blake West, President of the Kansas National Education Association (KNEA), presented KNEA's plan for addressing the teacher shortage in its report *Great Teachers for 21st Century Schools: A realistic plan to address the recruitment and retention of teachers*. The Report outlined causes of the problem, then described solutions, some of which are described below:

- Attract candidates to teaching via future teacher programs beginning in middle school and continuing through a dual credit "intro to teaching" high school course;
- Encourage alternate route to teaching programs;
- Encourage tuition forgiveness programs for teachers;
- Increase salaries to make Kansas competitive with other states and other career options;
- Provide significant mentoring and induction support for new teachers;
- Ensure health insurance coverage for teachers;
- Improve the amount of time for grading, planning, parent involvement, and collaboration;
- Increase prestige for the profession of teaching by creating autonomous professional standards boards to oversee licensure, accreditation and professional development.

Special Issues Associated with Students of Military Families at Geary County USD 475

Because the 2010 Commission met jointly with the Legislative Educational Planning Committee (LEPC) on two occasions during the 2008 Interim Session, the Commission heard testimony on two topics referred to the LEPC by the Legislative Coordinating Council.

After listening to testimony from Geary County USD 475 Superintendent Ron Walker and Representative Barbara Craft regarding the increasing demands placed upon the Geary County USD because of the increasing number of students of military families coming into the District as well as the pressures placed upon students because of multiple deployments of one or both parents, the Commission made a recommendation to extend the second student count date law for districts facing military student increases.

Measuring Student Outcomes—Blue Ribbon Schools

The Commission received information on student outcomes from various organizations. Mark Tallman from the Kansas Association of School Boards made the following points at the August meeting:

- Percentage of Kansans with high school diplomas is at an all-time high;
- Kansas ACT scores increased at twice the national rate in the past decade;
- Student proficiency has risen steadily since state assessments began in the mid-1990s.

Mr. Tallman pointed out that while the progress is impressive, it has not come without a cost.

At the invitation of the 2010 Commission, representatives of all of the State's nationally recognized Blue Ribbon Schools appeared before

a joint meeting of the 2010 Commission and the LEPC in October.

The No Child Left Behind Blue Ribbon Schools Program is a prestigious U.S. Department of Education program honoring some of America's most successful schools. Schools are nominated by each state's chief state school officer based upon national criteria in three categories.

- Schools in the top 10 percent of the state in reading and math assessments with at least 40 percent disadvantaged students. (Disadvantaged is defined as eligible for free or reduced meals, Title I services, Limited English Proficiency, or migrant students.)
- Schools with at least 40 percent disadvantaged students that have dramatically improved student achievement to high levels. (Dramatically improving schools reaching high levels means that students are achieving above the 60th percentile in reading and math, the school must meet adequate yearly progress, and gains must have been dramatic over the past three years.)
- Schools in the top 10 percent of the state in reading and math assessments with fewer than 40 percent disadvantaged students.

The five Blue Ribbon Schools in Kansas are:

- Beeson Elementary School in the Dodge City School District
- Lincoln Elementary in the Lincoln School District
- Syracuse High School in the Syracuse School District
- Blue Valley North High School in the Blue Valley School District

- Ellsworth Elementary School in the Ellsworth School District

Some of the most outstanding qualities expressed by all Blue Ribbon School teachers and principals included:

- Caring educators focused on ensuring all students meet or exceed high academic standards, regardless of students' ability, poverty restraints, disability, gender, race, or language barrier.
- Data-driven instruction ensuring individual students receive the most effective interventions for each need.
- Principals and teachers working as teams.

Principals who clearly empower teachers.

- Perseverance and positive attitudes in spite of great challenges, whether lack of resources in the districts or students with many personal challenges.

Commission members asked Blue Ribbon school representatives to explain how their school had reached such a high level of achievement. Highly motivated and effective leaders and focused, hands-on professional development were two major reasons cited for Blue Ribbon school successes. Some examples from Blue Ribbon recipients are included below.

Principals with exemplary leadership abilities that develop empowered teachers was one of the main factors cited for outstanding achievement in individual schools. For example, the principal from Syracuse High School told members that the teachers determine the curricula in that school. "This is not a top-down decision." One principal takes all the school's students into the gym once a week, allowing teachers more planning time together.

Successful principals tended to have an attitude of collaboration, ability to communicate clearly, and a “servant-leader” mentality, encouraging teachers, staff, and students to achieve the best possible outcomes.

The majority of the Blue Ribbon recipients represented schools with high and growing numbers of disadvantaged students, which only seemed to spur school staff onto greater achievements.

Another common denominator among the Blue Ribbon recipients was that teachers determine the best professional development for themselves, such as learning how to identify individual student needs and, then, learning which interventions would work best with each particular student.

Lincoln Elementary teachers described how professional development led them, in 2005, to develop professional learning communities where teachers shared teaching strategies and student data. They also discussed how they meet with professionals from other schools sharing strategies that work.

In addition to the great strides made by the Blue Ribbon Schools, all Kansas students made academic improvements as shown in the charts at the end of this report (Attachment 1).

Career and Technical Education in Kansas Public Schools

The 2010 Commission held a hearing at its November meeting to learn of changes in career and technical education, formerly known as vocational education.

Because of changes in the federal Carl Perkins Act and the State Board’s efforts to integrate 21st century skills throughout the education system, the Kansas Department of Education is working with business, industry, and educators to implement a system of career clusters and

career plans of study that greatly expands career and technical education programs. This new method of delivering what had been a more limited vocational education begins earlier in a student’s career, works with the State’s business and industry sector to meet workplace needs, and encourage students to make a seamless transition from school to work or further education.

Several school district officials presented examples of successful pilots of this redesigned career and technical education.

Dr. Ralph Beacham from the Southeast Kansas Education Service Center (Greenbush) discussed an initiative in southeast Kansas among ten high schools, Pittsburg State University, and Ft. Scott Community College, which offers an architecture and construction career program based upon industry standards. This program partners with businesses that provide work experience opportunities for students.

Other presenters included Garden City High School; Independence High School; Nemaha Valley High School; Labette County School District; Kansas City, Kansas School District; and the Wichita School District.

Commission members plan to continue monitoring the progress of the redesigned career and technical education initiatives.

Update on Early Childhood Education

Jim Redmon, Executive Director of the Children’s Cabinet, presented an update on the Early Learning Coordinating Council’s work at the Commission’s November meeting. Mr. Redmon explained that the \$11.1 million of Children’s Initiatives Funds provided in 2008 for Early Childhood Block Grants is earmarked for:

- Early childhood programs in school districts;

- Child care centers and homes;
- Early Head Start and Head Start sites;
- Research-based child development services for at-risk infants;
- Toddlers and their families; and
- Preschool for three and four-year-olds.

Mr. Redmon reported the Children's Cabinet received 36 applications totaling over \$35.0 million. Three teams are reviewing proposals and final decisions on grant awards should be made by November 18, 2008. Mr. Redmon told the Commission that the Early Childhood Block Grant Program would enhance the coordination within the early childhood system, continue to build a foundation of best practices across the early childhood system in the state, and fill service gaps, both geographically and program-matically across Kansas. The Commission will review this area again next year.

CONCLUSIONS AND RECOMMENDATIONS

In carrying out its mandated duty of monitoring the School District Finance and Quality Performance Act, the 2010 Commission spent a great deal of time listening to school district officials and reviewing the progress school districts have made since the inception of the Commission. As shown later in this report, Kansas students have made great academic strides over the past several years. According to school officials, this is largely due to the infusion of school funding, particularly the large amount of funding directed at helping at-risk students. Additionally, school district officials frequently testified of the importance of multi-year funding which also has been helpful in ensuring success in Kansas public schools.

Considering this, the 2010 Commission makes the following recommendations:

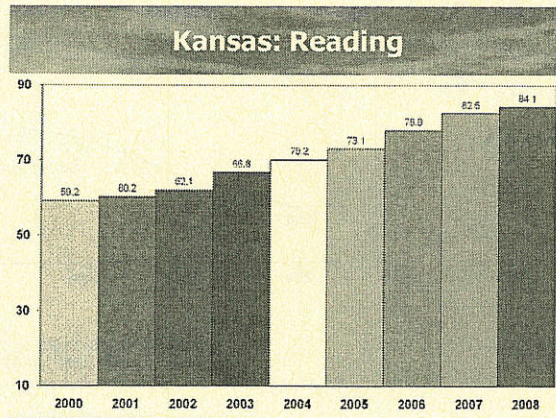
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Attachment 1

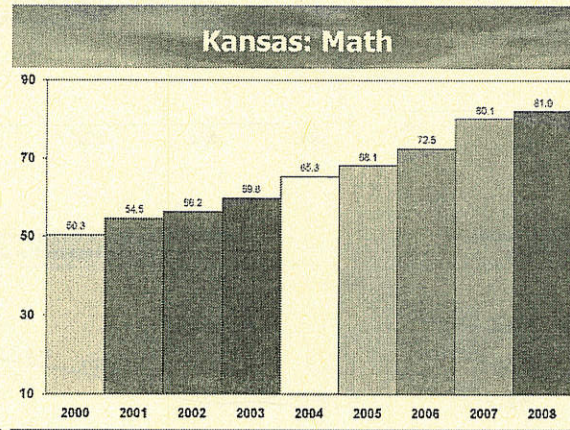
According to the Kansas Department of Education, results released in October 2008, from the 2008 Kansas Statewide Assessments show strong performance in reading, mathematics, science, and history/government for all students.

State Assessment Results Show Strong Performance by Kansas Students

TOPEKA—Results released today from the 2008 Kansas Statewide Assessments show strong performance in reading, mathematics, science and history/government for all students.



With over 99 percent participation by all students in reading, student performance is continuing an upward trend. The same holds true for Kansas students in mathematics.

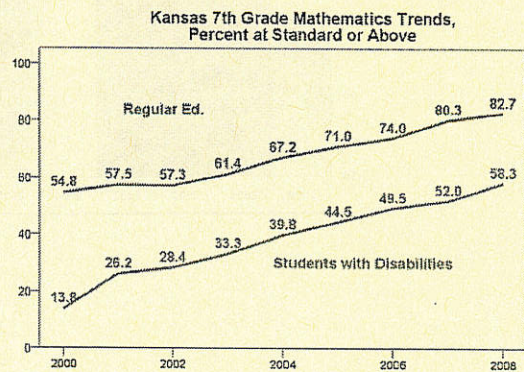
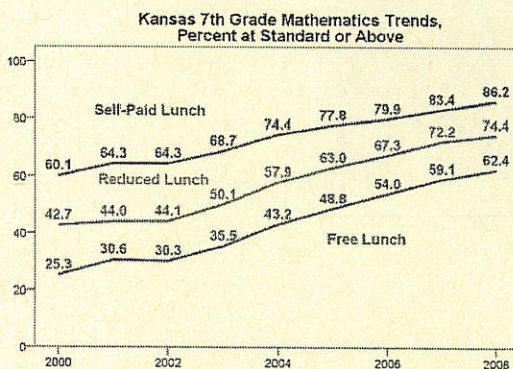
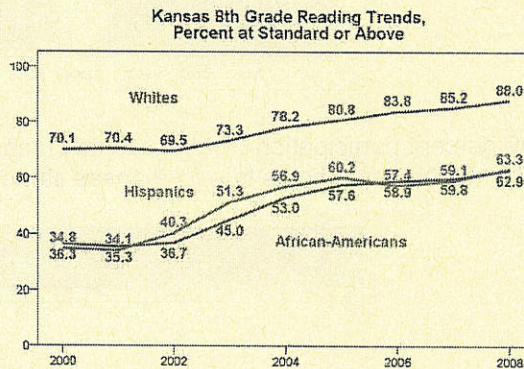
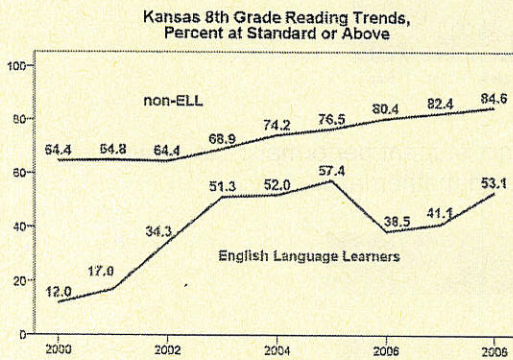
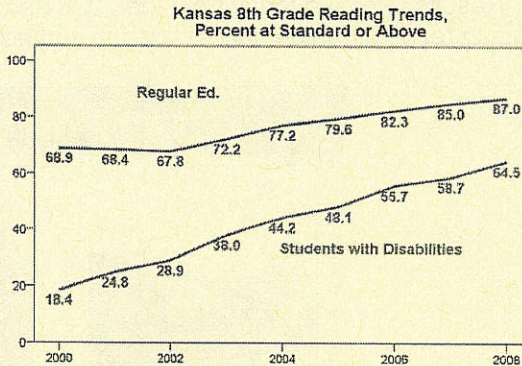
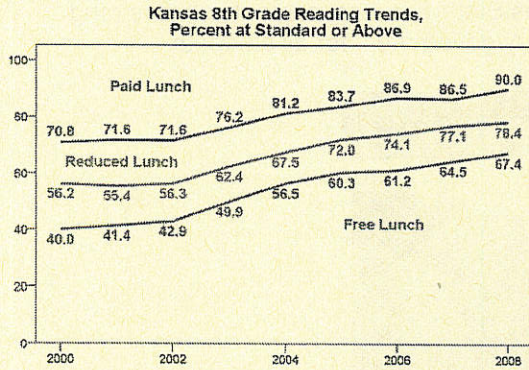


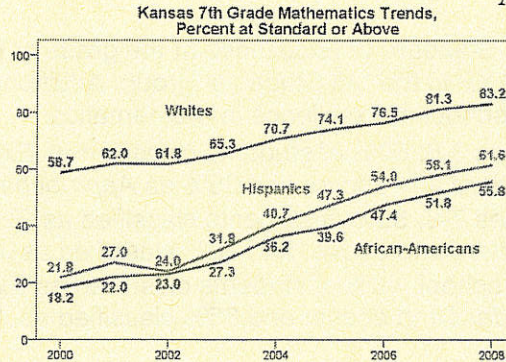
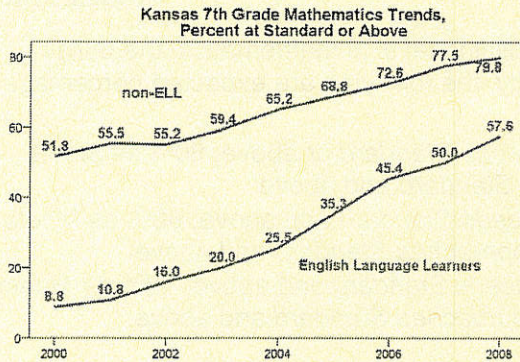
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Attachment 1

When compared with the 2000 – 2007 results, the reading and mathematics scores reflect a continuing upward trend. “I use the word phenomenal when describing the achievement of our students across all grade levels in Kansas, said Dr. Alexa Posny, Kansas Commissioner of Education. She continued, “I attribute these outstanding results to the sustained focus of educators, administrators, and boards of education across Kansas. They have met and exceeded increasing higher targets under the No Child Left Behind legislation and their students are the beneficiaries.”

These trends also show that the gap among students is gradually closing.





According to Dr. Posny, “The achievement gaps among various groups of Kansas students in both reading and mathematics are gradually closing. Students and educators are working tirelessly to ensure that all children achieve to high levels.” She continued, “Participation rates on all assessments in Kansas are above ninety-nine percent for all students. This indicates that the stakeholders in Kansas take the assessments very seriously and make sure that all students are counted.”

History/government is tested bi-yearly in grades 6, 8, and high school. Science is assessed every year in grades 4, 7, and high school.

Kansas awards the Standard of Excellence at grade levels and building-wide. To receive a Standard of Excellence in reading for grades 3-6, at least 25% of students must be in the *Exemplary* category on the state assessment, with not more than 5% of students in *Academic Warning*. For grades 7-8, 20% of students must score in the *Exemplary* category, with not more than 10% of students in *Academic Warning*. For high schools, at least 15% of students must be in the *Exemplary* category, with not more than 10% of students in *Academic Warning*.

To receive a Standard of Excellence at the grade or building level in reading, the building must make AYP in the “All Students” group. Additionally, the following are expected percentage values for a school of excellence in reading.

- Grades 3-6, 60% of students classified as *Exceeds Standard* or above; 80% as *Meets Standard* and above; and 95% as *Approaches Standard* and above.
- Grades 7-8, 55% of students classified as *Exceeds Standard* and above; 75% as *Meets Standard* and above; and 90% classified as *Approaches Standard* and above.
- High school, 50% of students classified as *Exceeds Standard* and above; 70% as *Meets Standard* and above; and 90% classified as *Approaches Standard* and above.

To receive a Standard of Excellence in mathematics for grades 3-6, at least 25% of students must be in the *Exemplary* category on the state assessment, with not more than 5% of students in *Academic Warning*. For grades 7-8, 25% of students must score in the *Exemplary* category, with not more than 10% of students in *Academic Warning*. For high schools, at least 15% of students must be in the *Exemplary* category, with not more than 15% of students in *Academic Warning*.

Attachment 1

To receive a Standard of Excellence at the grade or building level in mathematics, the building must make AYP in the "All Students" group. Additionally, the following are expected percentage values for a school of excellence in mathematics.

- Grades 3-6, 60% of students classified as *Exceeds Standard* or above; 80% as *Meets Standard* and above; and 95% as *Approaches Standard* and above.
- Grades 7-8, 60% of students classified as *Exceeds Standard* and above; 80% as *Meets Standard* and above; and 90% classified as *Approaches Standard* and above.
- High school, 40% of students classified as *Exceeds Standard* and above; 70% as *Meets Standard* and above; and 85% classified as *Approaches Standard* and above.

Similar formulas are used to calculate the Standard of Excellence for science and history/government awards.

This year saw an increase in the number of awards for both reading and mathematics. There were 3,461 Standard of Excellence certificates awarded in reading; 2,755 in mathematics, 437 in science; and 217 in history/government.

Minority Report to the 2009 Kansas Legislature

By Stephen R Iliff CPA, MBA, current member of 2010 Commission.

The legislature should not approve a three-year school finance plan.

Educational leaders cannot expect to have guaranteed budgets, wage increases, and unlimited supplies or even continually increasing student populations. We live on a planet with scarce resources and future uncertainty. With property values going down, property taxes going up, businesses closing, sales tax revenues plummeting, corporations downsizing and income tax revenue plummeting, why should educators be insulated from the real world? The educational and government powers tend to act like they are not subject to the same laws as the rest of the population. But there are no guarantees in this world, not even tax increases. Our country and State are broke.

One of the reasons General Motors (GM) is bankrupt¹ and bleeding cash right now is that they have too many guaranteed commitments and contracts that bind them.

	General Motors	Toyota	Honda
Market Share	20 %	19%	11%
Brands 8		3	2
Dealers 7000	² 1500		1000
Wages Same		Similar	Similar
Benefits	UAW Jobs Bank ³ Minimal		Minimal

State Governments act very much like General Motors. They continue to offer unfunded benefits that private companies could never offer. They purchase more and more property while leaving beautiful old often historical buildings to decay.

The 2010 Commission should not be recommending any increase of any kind in this economic environment.

Professional Development

Although I agree that many professional development programs are excellent, they should be self-funded and in fact already are funded in the Kansas Highly

¹ Michael Levine, Wall Street Journal opinion page 11/17/08.

² These are protected by State Law-eliminating them is very expensive.

³ GM guarantees almost full wages to UAW "Jobs Bank" program for workers that lose the jobs through automation. GM supports more retirees than current workers. It owns or leases enormous amounts of property for facilities it's not using and probably will never use again.

Resource Effective Districts⁴ (KHRED). In the study done by Standard and Poor's they noted that the KHRED consistently:

1. Support and enhance classroom teacher's performance with on-the-ground instructional guidance and assistance.
2. Invest in targeted professional development to ensure return of strategic program investments.
3. Use teachers as expert resources for key decisions.
4. Extend the contract year to increase teacher development and planning time.
5. Focus district and building meetings on learning and instruction.

In addition these districts often fund development with fewer total dollars than less efficient districts. That is why they are more efficient. Any principal worth her salt would have in-house training by her best and brightest teachers. Usually those teachers enjoy the opportunity to help others in the profession they love. There are many fine videos that are helpful and/or online webinars. Light breakfast and lunches are not expensive. The legislature has added well over a billion new dollars to Kansas schools over the last three years. The best principals will find a way to get the job done with the tools and finances they currently have. To throw \$6,000,000 at schools without knowing where it is going, or how it will be used, and to have no measuring tool or reporting mechanism to see if it was effective, is irresponsible. As legislators, each person must see themselves as trustees of the hard-working Kansan's tax dollar. You must treat it like it was your own.

A real possibility is that this money will be wasted on junkets to exotic cities like Washington DC or San Diego to hear teachers who may not be as good as ones you have in-house, thus turning the money desperately needed to improve academics into a vacation package for some teacher or principal.

Leadership Initiatives

I also agree that leadership training should be provided and encouraged for principals. The Marine Corps Officers Training would be my first recommendation or the closest alternative. The best among the principals in Kansas (e.g., principals from the KHRED or Blue Ribbon Schools) would be glad to share their knowledge and again breakfast can be very inexpensive on school property. But I cannot agree that the Legislature should spend money it does not have at this time nor until I know of a program that will work with tools to measure the effectiveness of the program. Some are just junkets and a waste of both time and money. Some may be good but with technology available you can easily do webinars, videos or in-house (district) seminars.

⁴ Standard & Poor's Kansas Education Resource Management Study, Winter 2006

Accounting

The KSDE website should be made available for mass download of all data so that data miners could begin digging and developing their own reports. The current website is very slow and the information, though helpful, requires a lot of time and effort to get. For example, someone should be able to download all revenue, expenses, demographics and outcome data in detail for all districts in a given year as one file.

In a performance audit⁵ presented to the Legislative Post Audit Committee, the Legislative Division of Post Audit noted that 16 out of the 20 states had a standardized required chart of accounts. Kansas was one that did not. This would go a long way to making the data more accurate, consistent and easier to compare and use to improve performance.

Kansas School District Efficiency Study

Governor Sebelius commissioned Standard and Poor's to do an efficiency study of Kansas school districts, sponsored by the Ewing Kaufman foundation. It was an excellent study that came up with a mechanism to compare each similar district to the very best districts in the State using a statistic called the Relative Efficiency Score. According to the study:

The **Relative Efficiency Score** that each district earned was based on three variables: "**inputs**--how much the district spends per pupil; **outputs**—how well the district's student perform in reading and math; and **constraints**—how many of the district's student have special needs (i.e. economically disadvantaged backgrounds, physical or learning disabilities, or limited English proficiency).⁶"

The purpose of the comparisons was to help improve, not simply audit, cost-effectiveness. Successful organizations routinely compare themselves to the best-in-class organizations, communicate with them to learn how they achieved their superior results, and use that information to improve their own performance. "Benchmarking" is the comparative method that many organizations use to make continuous progress, and school districts can use it, too.⁷

The Kansas Legislature should require the accounting data we have to be put in a format so that this Efficiency Score could be calculated at the end of each fiscal year and posted along side all the AYP results. Every taxpayer, parent and board member should know these efficiency scores and ask questions when their score is less than 100%. They should be sent out with each person's property tax bill so that taxpayers can compare how well their tax dollars are being spent.

⁵ Performance Audit Comparing the Centralization of School District Accounting in Different States, February 2007.

⁶ Kansas School district Efficiency Study part II April 2007

⁷ Letter to the 2010 Commission dated August 3, 2007 by Michael Stewart, Director Standard and Poor's

Many districts are difficult to compare because they are so large. In order to allow reasonable comparisons and maximum benefit for the districts and stakeholders, the data should be accurate and available down to the building level. While a district like Wichita would be impossible to compare to Royal Valley, the individual buildings or schools easily could be compared.

Current Environment

We are now in a financial crisis in the country, but it is one of our own making. California and New York are the two best examples over overspending (spending every dollar the State taxes from the citizens), putting all your eggs in one basket (taxes from the financial industry), counting on good times to last forever (home appreciation and unlimited credit). But as we have all seen in the last 8 years and should have seen quite clearly if we had just read our history books of just the 20th Century, that good times don't last forever. Every farmer knows that you must store up during good times so that you have something to eat during the bad times.

General Motors is now facing bankruptcy and drastic cuts in union labor wages, retirement pay, health benefits and plant closings all while Toyota and Honda are building new plants in America and humming along, though their profits are temporarily down. The question is not whether a government should run like a business, but which model do you wish to run on? GM's or Toyota? Bear Stearns or Berkshire Hathaway? IndyMac or Wells Fargo? Countrywide or Strong Community banks like Fidelity and CoreFirst?

Kansas is now in a similar problem, though on a much smaller scale. We have had some very good years economically. Every new tax dollar has been spent. Government has grown and the schools have loaded themselves with new teachers, more para-professionals, increased wages, better retirements and benefits many of which are guaranteed. We have no reserves. The way school budgets are handled, they must spend every dollar, every year or they can only expect to get cut the next year. This means that districts, schools and programs often have to run out and buy technology and other things they really don't need just to show they spent it all. Why not reward those who get the job done with keeping their reserve for lean times? If a program really is successful in increasing scores and they don't spend all the money they have, shouldn't it be able to do that without incurring a future cut or having the money taken away?

Technology

The future is in technology and innovation. We must encourage the use of the latest technology to reduce costs and improve output. According to an excellent article by Clayton Christensen, a Harvard Professor of Business administration:

To educate every child, schools must migrate to a modular architecture--from the current

child. Computer-based learning offers a way. It is inherently modular and therefore easier and less expensive to customize to the way each child learns.

But computers have littered schools for over two decades without making much impact in the classroom's structure. That's because schools have implemented computers to sustain the current paradigm of teaching rather than disrupt it.

For computer-based learning to transform schools into child-centric learning environments, schools must implement the instructional software disruptively, by letting it compete where the alternative is no teacher at all. There is evidence this is happening in several places--from helping small, rural or low-wealth schools where specialized courses would not otherwise be available to serving students who need special tutoring, or for whom attending the normal school day is not an option.

Despite skepticism about the school system's ability to shift, online classes now account for 1 million enrollments in public education, up from 45,000 just seven years ago. Programs like Utah's Electronic High School are disruptively gaining ground and improving--and transforming education in the process.

The virtual schools and our own Greenbush project have proven that you can get a very good education cost effectively even with a teacher shortage or even a science and math shortage if you use the latest technology. This may be the only option for rural kids facing smaller and smaller classrooms and having to bus over an hour one way each day.

References

www.schoolmatters.com

Kansas Comparative <http://cpfs.ksde.org/cpfs/>

Performance Audits by LDPA

Efficiency Study by Standard and Poor's

Report of the Joint Committee on Legislative Educational Planning to the 2009 Kansas Legislature

CHAIRPERSON: Representative Deena Horst

VICE-CHAIRPERSON: Senator Jean Kurtis Schodorf

OTHER MEMBERS: Senators Marci Francisco, Roger Pine, Mark Taddiken, Ruth Teichman, and John Vratil; and Representatives Barbara Ballard, Owen Donohoe, Steve Huebert, Eber Phelps, Jo Ann Pottorff, and Valdenia Winn

STUDY TOPICS

The Committee was directed to plan for public and private postsecondary education, study preschool and K-12 education, and review State Department of Education implementation of legislation relating to educational matters.

- Supplemental State Aid for High Assessed Property Valuation Counties with Low Numbers of School-Age Children
- Federal Impact Aid to School Districts

Reports statutorily required to be submitted to the Legislative Educational Planning Committee

Included in this publication are the final reports from the Kansas Autism Task Force and the Kansas Technical College and Technical School Commission.

December 2008

Senate Education
1-22-09
Attachment 2

Joint Committee on Legislative Educational Planning

REPORT

CONCLUSIONS AND RECOMMENDATIONS

The Legislative Educational Planning Committee (the Committee) approved introduction of 13 bills to be considered during the 2009 Legislative Session. Those items as well as other recommendations are described below.

As recommended by the 2010 Commission, the Committee agreed to recommend legislation and introduce a bill extending through school year 2012-2013 the second-count date (February 20) provision for military children, modifying the existing provision so that only the net increase in children would be used when computing the general fund budget of the school districts.

The Committee agreed to recommend and introduce legislation related to a second recommendation of the 2010 Commission that would extend through school year 2012-2013 the provision which would increase the amount of state aid to school districts in an amount equal to the percentage increase in the consumer price index-urban.

The Committee recommends legislation and introduction of a bill establishing school medication aides (a person who has satisfactorily completed training in the use of epinephrine and could include school nurses or others) to administer epinephrine to students having an anaphylactic reaction in cases whether or not the student has been diagnosed with anaphylaxis.

The Committee agreed to recommend and introduce the postsecondary education initiatives described below and proposed by the Kansas Board of Regents. Those initiatives would accomplish the following:

- Permit a community college to own property outside its local community college taxing district, but within its assigned service area.
- Amend current statutes to fully fund KAN-ED from the Kansas Universal Service Fund (KUSF) at \$10.0 million per year.
- Delete a provision in law which allows a person who is on a leave of absence from a university and working for the executive branch of state government to participate in the mandatory retirement plan.
- Include medical students enrolled at the University of Kansas Medical Center within the definition of employee under the Kansas Tort Claims Act.
- Codify language previously contained in an appropriations bill proviso regarding the

development of a funding model for postsecondary technical education, update references regarding the state plan for career and technical education and the federal Carl D. Perkins Act, and replace outdated "vocational education" terminology with the currently-used "career technical education" term where possible, and repeal wording or statutes no longer needed or obsolete.

HB 2006
HB 2007

- Delete the 12,000-pound limitation on moving expenses which may be paid by state universities when recruiting personnel.
- Allow state universities, as authorized by the Kansas Board of Regents, to provide tuition and fee waivers to undergraduates.

The Committee agreed to introduce, without recommendation, one additional bill requested by the Kansas Board of Regents. This bill would:

SB 9

- Eliminate certain restrictions involved in the process of hiring architects, engineers, and contractors for the construction and renovation of state university buildings funded with non-state moneys.

The Committee recommended and authorized introduction of two bills recommended by the Kansas Autism Task Force. These bills would:

SB 12

- Require health insurance policies to cover costs for the diagnosis and treatment of autism. The bill would exempt group policies offered by employers of 50 or fewer employees. (The Committee requested this bill be referred both to insurance and health standing committees); and

SB 18

- Establish the Autism Service Scholarship Program Act, providing scholarships to students pursuing allied health care degrees and agreeing to provide services to individuals with autism located in underserved areas of the state.

The Committee requested Legislative staff review the possibility of whether any funding appropriated for a Kansas Center for School Preparedness and Safety could be counted as a match enabling the state to draw federal hazard mitigation funding, which could be used by school districts for preparedness activities, and provide that information to standing education committees during the 2009 Legislative Session.

LCC-referred Topics:

**Supplemental State Aid for High Assessed Property
Valuation Counties with Low Numbers
of School-Age Children**

The Committee recommended that this issue be reviewed by standing education committees during the 2009 Legislative Session, with proposed legislation developed at that time. The Committee expressed interest in various suggestions made by Senator Jim Barnett related to this issue and Chase County, in particular, and requested that legislative staff work with Senator Barnett to more

fully develop a recommendation.

Federal Impact Aid

At the final meeting in November, Representative Barbara Craft, who had requested the LCC refer a study on Federal Impact Aid to an Interim Committee, withdrew her request for a recommendation regarding Federal Impact Aid. Instead, she requested the LEPC recommend the extension of the second-count date. The LEPC made that recommendation and agreed to introduce a bill to implement the recommendation.

Proposed Legislation: The Committee will introduce 13 bills.

BACKGROUND

The Legislative Educational Planning Committee (LEPC) is a statutorily-created committee with authority over preschool, elementary, secondary, and postsecondary education. The Committee is charged statutorily with monitoring the implementation and ongoing operation of the Kansas Higher Education Coordination Act (KSA 74-3201 *et seq.*). Legislation enacted by the 2005 Legislature changed the Committee's role to exclude matters relating to school finance from its purview. This action was intended to eliminate duplication between the LEPC and the 2010 Commission, an entity created by the 2005 Legislature which is responsible for monitoring school district funding.

The LEPC consists of seven House members and six Senate members appointed by the Legislative Coordinating Council (LCC). The Committee may initiate its own studies or be assigned proposals by the LCC. The LCC assigned the Committee the following two studies during the 2008 Interim:

Supplemental State Aid for High Assessed Property Valuation Counties with Low Numbers of School-Age Children. Review the amount of supplemental state aid provided to Chase County and other similarly situated counties that have a high assessed property valuation relative to other counties in similar

situations with low numbers of school-age children. Study if the amount of supplemental state aid provided to these local school districts related to the local option budget is low. (Requested by Sen. James Barnett)

Federal Impact Aid to School Districts. Review the current federal impact aid to Kansas school districts. Study and compare the process that Kansas uses to qualify for federal impact aid to school districts with how other states apply for and qualify for federal impact aid to school districts. (Requested by Rep. Barbara Craft)

COMMITTEE ACTIVITIES

ELEMENTARY AND SECONDARY EDUCATION

Federal Impact Aid to School Districts

Representative Barbara Craft brought this topic to the attention of the Legislative Coordinating Council because of the impact of the growing number of military families in the Geary County School District, USD 375.

Federal Impact Aid (Impact Aid) was created in 1950 and designed to reimburse public school districts for the loss of traditional revenue sources due to a federal preserve or federal activity. Impact Aid is one of the only federal education programs in which the funds are sent directly to the school district. However, Impact Aid is subject to the same state regulations as

any other school funding. Federal law allows states to take Impact Aid into consideration when providing state aid to a school district if a state meets certain requirements. In general, those requirements include ensuring that the state aid equalizes expenditures for free public education. Specifically, a state must prove that the highest per pupil expenditures or revenues in the state do not exceed the lowest per pupil expenditures or revenues by more than 25 percent. Only three states have been approved under these requirements: Kansas, Alaska, and New Mexico. It is under this provision that Kansas requires school districts to count 70 percent of its Federal Impact Aid as a local contribution, thus lowering the amount of state aid the district receives. The remaining 30 percent can be used as miscellaneous revenue by a school district. New Mexico requires school districts to report 75 percent of the Aid and Alaska requires reporting of 90 percent.

Twenty-six Kansas school districts receive Federal Impact Aid. The three districts primarily affected by Ft. Riley and their most recent Impact Aid payments are shown below.

School District	Total Impact Aid (2006-07)	70% of Aid counted as local effort	30% of Impact Aid can be used as miscellaneous revenue
Manhattan-Odgen 383	\$127,450	\$89,215	\$38,235
Riley County 378	\$5,912	\$4,138	\$1,774
Geary County 475	\$8,961,734	\$6,273,214	\$2,688,520

Ft. Leavenworth receives a large amount of Impact Aid, the majority under a different provision of the federal law. Because the totality of the Ft. Leavenworth School District is on the military base and more than 35 percent of its students live on the base, the District receives "heavily impacted" Aid. (There are only about six school districts in the United States receiving this type of federal aid.)

According to federal law (Section 8003(b) (2) of the Federal Impact Aid Act), this type of Impact Aid cannot be counted toward a district's local effort. The most recent year's receipts at Ft. Leavenworth include nearly \$5.0 million of "heavily impacted" Aid which the District uses for capital outlay. Ft. Leavenworth School District receives another nearly \$5.0 million of which 70 percent is counted toward the District's local effort when General State Aid is computed. (Ft. Leavenworth School District has only grades K - 9.)

In her testimony before the LEPC, Representative Craft requested the Committee consider making an alternative recommendation for distribution, such as increasing the percentage of Federal Impact Aid dollars that are considered miscellaneous income. Ron Walker, Superintendent, Geary County School District, told Committee members that the most important legislation passed by the Kansas Legislature was the second-count date. (The second-count date allows school districts to receive additional funding if enrollment increases from September 20 to February 20 if the increase is more than 25 full-time equivalent students or one percent of a district's total enrollment.) For the first time, the District was able to appropriately hire teachers, add support staff, and order necessary materials and supplies. Mr. Walker also stated the legislation allowing districts to keep 30 percent of the Federal Impact Aid, rather than the original 25 percent, has been the second most important legislation for his district.

The 2010 Commission made a recommendation related to this issue in its Report to the 2009 Legislature. It recommended that the second-count date legislation be extended for four additional school years. (The law expires with school year 2009-2010.) The Commission also recommended that the law be amended to make the second-count based upon the net increase in students which takes into account the students leaving between count dates.

COMMITTEE RECOMMENDATION

At its final meeting in November, Representative Barbara Craft, who had requested the LCC refer a study on Federal Impact Aid to an Interim Committee, withdrew her request for a recommendation regarding Federal Impact Aid. Instead, she requested the LEPC recommend the extension of the second-count date. The LEPC made that recommendation and authorization for a bill which would extend, through school year 2012-2013, the second-count date (February 20) provision for military children, modifying the existing provision so that only the net increase in children would be used when computing the general fund budget of the school districts.

Supplemental State Aid for High Assessed Property Valuation Counties with Low Numbers of School-Age Children

The Legislative Coordinating Council has referred to the LEPC the charge of reviewing the amount of supplemental state aid provided to Chase County and other counties in similar situations with low numbers of school-age children that have a high assessed property valuation relative to other counties. The LEPC was requested to study whether the amount of supplemental state aid provided to these local school districts related to the local option budget (LOB) is low. The study topic was requested by Senator James Barnett.

Under current law, the formula for determining supplemental general state aid (LOB state aid) is crafted to provide the highest proportion of aid to those school districts with the lowest assessed valuation (AV) per pupil, and to provide no aid to those with the highest AV per pupil.

Supplemental general state aid (or LOB state aid) is based on an equalization principle which is designed to equalize school districts up to the level of the district at the 81.2 percentile level of AV per pupil. Under this formula, districts having an AV per pupil at or above the 81.2

percentile level receive no supplemental general state aid. An example follows.

Example:

School District #1	
AV Per Pupil	\$50,500
81.2 Percentile AV Per Pupil	\$83,625
So:	\$50,500/\$83,625 equals 0.6039
Then:	1.000 minus 0.6039 equals 0.3961 State Aid Ratio used to calculate Supplemental general state aid (LOB state aid)

According to the Kansas Department of Education, 56 of Kansas' 295 school districts are not entitled to receive LOB state aid because their AV per pupil is equal to or higher than the amount established by the statutory formula. The Chase County Unified School District (USD 284) is among those that receive no LOB state aid.

In 2008, Senator Barnett sought the passage of SB 627 on behalf of the Chase County Unified School District. The bill, which died in the Senate Education Committee, would have authorized the district to receive LOB state aid in an amount equal to 50 percent of its LOB budget. Testimony presented in the hearing by district officials indicated that a number of factors negatively affected the district's ability to fund operations through the LOB. The district, which had consolidated previously, has been declining in enrollment for a number of years. It also has been increasing in AV. At the same time, the testimony indicated, what is required of the district educationally has increased. The combination of these and other factors has resulted in a 164.3 percent increase in the district's LOB mill levy over the past six years, from 8.8 mills in Fiscal Year 2001-02 to 23.2 mills in FY 2008. The district officials indicated

the district has eliminated or reduced spending in a number of areas related to maintenance and operation.

Authorizing the Chase County district by itself to receive LOB state aid at a rate of 50 percent, as in 2008 SB 627, would increase LOB state aid by an estimated \$472,000 (based on data for the 2007-08 school year). Alternatively, revising the formula contained in current law by bringing the minimum LOB state aid rate to 50 percent for all school districts would mean all school districts would qualify for LOB state aid at the rate of at least 50 percent, including the 56 school districts that receive no LOB state aid currently. This would result in an increase in LOB state aid of approximately \$137,500,000 (based on data for the 2007-08 school year).

COMMITTEE RECOMMENDATION

The Committee indicated an interest in reviewing this topic during the upcoming legislative session and recommended that legislative staff work with Senator Barnett and the Department of Education in developing proposed legislation that could be brought before education committees during the 2009 Legislative Session.

Teacher Shortages and Teacher Recruitment

Both the Legislative Educational Planning Committee and the 2010 Commission reviewed the issue of teacher shortages and recruitment of teachers at their August meeting. The two groups met jointly in an attempt to make more efficient use of their time during the 2008 interim session.

At the August 2008 meeting, Dr. Alexa Posny, Commissioner, Kansas Department of Education, set the stage for this discussion by highlighting the following statistics:

- 40 percent of Kansas teachers leave the field after seven years;
- 36 percent of Kansas teachers can retire within five years;
- 50 percent of reported personnel are over 45, and 36 percent are over 50;
- 12 percent fewer students have gone into teaching over the past six years;
- In June 2008, there were 846 teacher vacancies across the state; and
- In August 2008, there were an estimated 375 teacher vacancies.

Dr. Posny went on to state reasons teachers leave the teaching profession:

- Isolation from colleagues;
- Assignments outside their area of training;
- Lack of appreciation or respect;
- Feeling discouraged and frustrated;
- Feeling left out of the decision making;
- Poor school management and not enough support from administration;
- Lack of classroom resources;
- Too many regulations;
- Lack of mentoring or induction programs;
- Large class size;
- Undisciplined and poorly motivated students;
- Uninvolved parents;
- Unreasonable expectations; and
- Lack of resources.

Dr. Posny highlighted the numerous regulatory changes the Department has made in attempting to get teachers into classrooms more quickly while continuing to ensure a quality teaching force. Some of the licensure regulation changes are noted below:

- Removed the grade point average of 2.5 for conditional teaching license;
- Offered a restricted school specialist license;
- Recognized experience of out-of-state school counselors with teaching backgrounds;
- Expanded provisional license options;

- Offered a one-year nonrenewable license without an existing offer of employment;
- Offered three options for added endorsements;
- Expanded innovative and experimental programs for institutions of higher education;
- Created the new licenses of transitional and interim alternative licenses;
- Offered reinstatement based on out-of-state experience;
- Reduced renewal requirements for standard substitutes.

On behalf of the Kansas Board of Regents, Dr. Andy Tompkins, Dean of the College of Education at Pittsburg State University, spoke on teacher licensure. He highlighted the increasing number of collaborative efforts between Kansas institutions of higher education and the Kansas Department of Education that have been innovative and responsive to the state's needs. One example is the Pittsburg State University program that started in 2001 and currently contains 111 students teaching primarily in Kansas City, Kansas, public schools as well as 18 other school districts. This program has a nearly 90 percent retention rate. Dr. Tompkins indicated that the retirements of "baby boomers" and a highly competitive global marketplace presents an economy competing for talent in all sectors.

Dr. Leann Ellis, Vice President for Academic Affairs, Butler Community College (BCC), and Dr. Marilyn Reinhardt, Vice President of Instruction, Johnson County Community College, spoke to Committee members regarding the crucial role of community colleges in teacher preparation and professional development of educators. An example of this collaboration was described in the Emporia State University (ESU) and BCC "2 + 2" program. Students who enroll in this program will complete a two-year Associates of Arts degree from BCC and continue

on to get a Bachelor of Science in Elementary Education from ESU.

The LEPC reviewed the 2008 Legislative Sessions' House Concurrent Resolution 5039 that set out objectives aimed at teacher preparation programs and teacher licensure targeted at the Kansas Department of Education and the Board of Regents. The resolution urged the restructuring of alternative teacher licensure programs in ways that would assist in alleviating the teacher shortages in mathematics, science, and special education.

Use of Epinephrine by School Nurses

In June 2008, the State Board of Nursing (Board) notified school nurses that the Kansas Nurse Practice Act (KSA 65-113 *et seq.*) does not allow school nurses to identify an anaphylactic reaction in a student who has not been previously diagnosed with anaphylaxis or to administer epinephrine to treat that student without receiving a physician's order to do so. The Nurse Practice Act authorizes a nurse to make a nursing diagnosis and to execute a medical regimen as prescribed by someone licensed to practice medicine and surgery. Identifying and labeling anaphylaxis requires medical judgment and is a medical diagnosis. Prescribing and administering a prescription drug is the practice of medicine.

Prior to the issuance of the letter by the Board, it was not unusual for a school nurse to have on hand epinephrine (epi pen) which had not been prescribed for a particular patient, but had been prescribed for use in the treatment of students suffering anaphylactic reactions. According to the Board, school nurses may continue to administer epinephrine prescribed for a student who has previously been diagnosed with anaphylaxis, but for the undiagnosed student, the nurse either will have to obtain authority from a physician to administer epinephrine or wait until a person who is authorized to administer medication arrives at the school.

Persons who may prescribe and administer drugs include: (1) A person licensed to practice medicine and surgery; (2) an advanced registered nurse practitioner issued a certificate of qualification pursuant to KSA 65-1131, and amendments thereto, who has authority to prescribe drugs as provided by KSA 65-1130, and amendments thereto; and (3) a physician assistant licensed pursuant to the Physician Assistant Licensure Act who has authority to prescribe drugs pursuant to a written protocol with a responsible physician under KSA 65-28a08, and amendments thereto.

Issues of concern discussed by the Committee included the need to provide immediate help to any student suffering an anaphylactic reaction. Another issue is whether to provide protection to a school nurse who risks disciplinary action if the nurse administers epinephrine, without direction of a physician, to a student who appears to be suffering an anaphylactic reaction, but who has not been previously diagnosed with anaphylaxis.

COMMITTEE RECOMMENDATION

The Committee recommends legislation and introduction of a bill authorizing school nurses to administer epinephrine to treat students having an anaphylactic reaction in cases where the student has not previously been diagnosed with anaphylaxis. In addition, the Committee instructed Revisor's Office staff to work with the Kansas Board of Nursing and the Kansas School Nurses' Association to make legislation apply to school districts without nurses as well as those districts having nurses.

Review of State Use Law

State law requires state agencies and school districts to purchase products from a list of vendors incorporated in Kansas who primarily employ blind or disabled people and who have been approved by the Director of Purchases. The

law exempts school districts and state agencies from the requirement to purchase from these vendors under certain circumstances, such as when a qualified vendor is unable to supply the needed product or meet delivery deadlines. The Committee received testimony from some school districts regarding difficulties with this law.

Melany Barnes, Technical Assistant for the Operations Division, Wichita Public Schools, spoke to Committee members sharing some insights from the school district customer perspective. She stated the Wichita School District proposed a ten percent threshold for pricing and was willing to pay the extra ten percent for products it needed. The school district also wanted a timely, streamlined waiver or exemption process. Ms. Barnes stated that after numerous meetings, often with stalemate results, it was hoped the State Use Law Committee would be able to improve vendor offerings and sales volume through involvement and dialogue. Ms. Barnes recommended Kansas review Oklahoma use law which mandates only state agencies buy from certain vendors. School districts are exempt from this law.

Written testimony from the Salina School District indicated many state use vendors provided poor quality products. The Salina School District had requested exemptions from the law for the purchase of ink pens, pencils, binders, folders, air filters, digital print and ink cartridges.

Matt Fletcher, Associate Director, InterHab, and Chairman of the State Use Committee, gave an overview of the Kansas State Use Committee's origin and purpose. Mr. Fletcher stated the Kansas State Use Committee was created as part of compromise legislative language, to provide a forum for state use vendors and customers to discuss their differences and work together on improving the program. It was decided the Committee would assist the Director of Purchases in improving the system for customers and for vendors, but most importantly, for the purpose of

ensuring growth in this system of work training for persons with disabilities.

Mr. Fletcher stated the Committee has given great consideration as to how to improve the program in the areas of pricing and quality. Committee members were told the Committee is currently in the process of developing a "pricing matrix" which will provide a tool with specific price data that will be used to ensure prices are within a range of competitiveness. Mr. Fletcher further stated that state use vendors continue to improve the quality of their products. He stated products are reviewed annually and the Committee regularly receives briefings from the Director of Purchases on quality-related issues.

Colin McKenney, President, Cartridge King of Kansas, told Committee members that his company employs individuals with disabilities to remanufacture, recycle, and process toner and ink cartridges used in office machines. Mr. McKenney stated the program creates a circle of benefit for the state and its residents. One of the benefits most important is helping people to provide for their own needs as wage earners, to give back to their state as taxpayers, to support their local communities as consumers of goods, and to demonstrate the positive difference a little helping hand can make. He stated Cartridge King is one of the select few employers in the state that creates a next step for students with disabilities who are completing their education. While some of these employees may continue to work for Cartridge King for many years and pursue positions of increasing responsibility, others will take the skills they have learned and use them to work successfully for other community employers.

Recommendations regarding this issue were presented in a performance audit titled *Kansas Use Law: Reviewing Issues Related to the Quality and Price of Goods and the Compensation of Executives*. Recommendations were directed to the Director of Purchases regarding complaint

follow up, processing waiver requests, and tracking sales of products and services.

Healthy and Prepared Schools Commission

Dr. Robert Hull, Chairperson, Healthy and Prepared Schools Commission, spoke to Committee members with an update on the work of the Governor's Commission on Healthy and Prepared Schools. Dr. Hull stated the Commission began in 2003 after members of the Kansas School Nurse Organization (KSNO), individuals from KU School of Medicine and individuals from the Kansas Department of Health and Environment (KDHE) met to discuss the role of school nurses in response to bioterrorism threats. This work led to a summit of 30 leaders from across the state recommending two major initiatives be carried forward. They were:

- Submit a proposal to the Governor asking for the creation of an interagency commission to provide leadership for school preparedness planning and response; and
- Develop strategies to establish and implement crisis standards, planning, training, and resources in all Kansas school districts.

The Governor's Commission on Healthy and Prepared Schools became a reality and is collaborative in nature with several state agencies being the principal players. Included in this group are the Kansas State Department of Education, Kansas Emergency Management Association, Kansas Homeland Security, Kansas Highway Patrol, Kansas State Attorney General, KDHE, and the Governor's Office. In addition, Commission membership is drawn from parents, a school nurse, a safety resource officer, a non-governmental organization, Kansas National Education Association, and local school administration.

Upon conclusion of its first year of business, the Commission presented to the Governor a summary report that provided a greater

understanding of the problems faced by Kansas educators and also gave recommendations that would help address the issues if implemented. These continuing issues were presented:

- Every educational setting is vulnerable to threats;
- Many educational decision makers have not fully grasped the seriousness to the 21st century threats to school health and safety;
- Kansas schools are not uniformly prepared or equipped to respond to emergency school events;
- Schools have immediate and pressing priorities that constrain their opportunity to engage in school crisis planning;
- State school preparedness planning lacks specificity and the force of law;
- Mission overlap and fragmentation of state and local agencies hinder development of school preparedness planning; and
- State and local communities have received substantial resources for local preparedness, but these benefits have not been extended to schools.

Among recommendations from the Commission given to the Governor were:

- Create and fund the Kansas Center for Safe and Prepared Schools;
- Provide the Center with a comprehensive mission enabling it to partner with Kansas schools to protect their health and safety;
- Organize the Kansas Center for Safe and Prepared Schools to foster collaboration among state agencies;
- Establish and enforce standards for school preparedness;
- Develop and pilot a model all hazards school crisis plan;
- Increase and improve school crisis drills;
- Provide training opportunities in school crisis management for all schools;
- Provide resources to increase the number of school nurses and school resource officers in Kansas' schools; and

- Create the annual Kansas School Preparedness Day.

Dr. Hull told Committee members that 20 states already have created some type of school safety/preparedness center. Kansas is one of the thirty states that does not have a center. In a recent survey, 83 percent of Kansas superintendents responded that they would see a benefit from a more uniform system in Kansas that would coordinate school crisis management response, training, standards, and provide crisis information.

Dr. Hull stated the next step is to have legislative authority and funding to establish a Kansas Center for School Preparedness and Safety. It is believed an annual funding level of \$1 per student or roughly an initial investment of \$500,000 will allow Kansas to take the next step.

COMMITTEE RECOMMENDATION

The Committee requested legislative staff to review whether any funding appropriated for a Kansas Center for School Preparedness and Safety could be counted as a match enabling the state to draw federal hazard mitigation funding which could be used by school districts for preparedness activities.

Virtual Education

Dr. Diane DeBacker, Deputy Commissioner, Kansas Department of Education, and Dr. Bill Hagerman, Director, Title Programs and Services, Kansas Department of Education, described the Department's virtual education programming to the Committee in October.

Dr. Hagerman told Committee members the Virtual Schools Advisory Council held its first meeting on September 16, 2008, and the virtual education requirements for Kansas were reviewed. Dr. Hagerman told Committee

members that it was important for members of this Advisory Council to get a broad perspective on what is needed in terms of virtual education. He also stressed that it is important to remember this (virtual and on-line) is the world in which our young people live.

Dr. Hagerman told Committee members that virtual schools use distance learning technologies which predominately use internet-based methods to deliver instruction. It involves instruction that occurs asynchronously or at different times with the teacher and pupil in separate locations. Dr. Hagerman advised virtual schools are serving a variety of students, for example, previously home-schooled students, any child in Kansas who has a need not fulfilled elsewhere in a school, and any learner without a high school diploma.

Dr. Hagerman advised the Advisory Council will be conducting additional meetings and topics of discussion could include at-risk (non-proficient) education plans, weightings including local option budget (LOB), and marketing.

Gary Lewis, Head of School, Lawrence Virtual School (LVS), addressed Committee members and stated LVS serves students in kindergarten through twelfth grade using the online curriculum of K12. Enrollment in LVS includes access to online curriculum, associated materials and resources, the loan of a computer, the expertise of Kansas licensed teachers and administration, and school activities, all within the student's community.

Mr. Lewis stated enrollment in LVS is open only to residents of the State of Kansas. He stated that all LVS teachers hold a Kansas teaching license, have had extensive teacher professional development, and represent a diverse spectrum of educational backgrounds and experience.

He also stated the online school provides a recommended schedule that will ensure all lessons in each content level are presented in one

academic school year's time frame. The online school is flexibly designed to accommodate year-round schooling. Progress data is used by the teachers and parents to evaluate student progress and learning. LVS requires 80 percent mastery on learning objectives. Progression to the next level requires 100 percent completion in foreign languages, 95 percent completion of math and language arts lessons, and 85 percent completion of the remaining subject areas.

Brooke Blanck, Director, iQ Academy in Manhattan, Kansas, spoke to Committee members and advised that iQ Academy Kansas is a grades 7-12 online school. Students can choose from a complete curriculum of core and advanced placement (AP) classes, elective courses in world languages, art and music appreciation, and technology. Middle school students follow a grade-specific curriculum of core and elective courses that prepare them for high school and beyond. High school students in grades 9-12 have a broader range of electives that fit their interests and educational needs. Graduates earn high school diplomas from Manhattan-Ogden USD 383 and are accepted at colleges and technical schools throughout the United States. Manhattan-Ogden USD 383 and iQ Academy agreed to partner beginning in the 2007-08 school year. The iQ Academy is meeting the needs of a diverse student population ranging from at-risk students to high achieving students seeking additional course work.

Dr. Barton Goering, Superintendent, Spring Hill USD 230, spoke to Committee members on Insight School of Kansas. He advised Insight School of Kansas (ISKS) began classes on August 25, 2008, and is an online public high school serving students all across Kansas. The school offers over 130 courses to approximately 600 students and is divided into two schools within the school:

- An adult school serving students 20 years and older; and
- A teen school serving students ages 14-19.

Dr. Goering advised that Insight Schools, Inc. operates 11 high schools in ten states and a national school. They are a subsidiary company of the Apollo Group which also owns and operates the University of Phoenix. Insight School of Kansas is the second largest high school in the Insight family. He also stated that ISKS is piloting the first online vocational class for high school students in collaboration with the National Construction Center Educational Research (NCCER) and Crossland Construction of Columbus, Kansas.

Dr. Blake West, President, Kansas National Education Association, spoke to Committee members concerning issues of quality related to virtual education. Dr. West stated a National Task Force on Virtual Education had met and there were two criteria discussed: online high school courses and teaching online courses.

Dr. West stated there were two parameters for the work and included the limitations of what could be done for socialization, particularly with younger children. In the first parameter, it was determined through research, that elementary students need to be in a face-to-face environment. The second parameter spoke to the use of an entire high school curriculum. It was determined that while it is appropriate to do some high school work online, it probably would still be appropriate to have some of the programs done in a face-to-face environment.

Dr. West stated there are major areas for attention regarding virtual education which include:

- Learner Characteristics;
- Infrastructure;
- Evaluation and Assessment;
- Curriculum;
- Effective Teaching; and
- Teacher Quality including Licensure, Certification and Accreditation.

Measuring Student Outcomes-Blue Ribbon Schools

Representatives of all of the State's nationally recognized Blue Ribbon Schools appeared before a joint meeting of the 2010 Commission and the LEPC in October.

The No Child Left Behind Blue Ribbon Schools Program is a prestigious U.S. Department of Education program honoring some of America's most successful schools. Schools are nominated by each state's chief state school officer based upon national criteria in three categories, which is described below.

- Schools in the top 10 percent of the state in reading and math assessments with at least 40 percent disadvantaged students. (Disadvantaged is defined as eligible for free or reduced meals, Title I services, Limited English Proficiency, or migrant students.)
- Schools with at least 40 percent disadvantaged students that have dramatically improved student achievement to high levels. (Dramatically improving schools reaching high levels means that students are achieving above the 60th percentile in reading and math, the school must meet adequate yearly progress, and gains must have been dramatic over the past three years.)
- Schools in the top 10 percent of the state in reading and math assessments with fewer than 40 percent disadvantaged students.

The five Blue Ribbon Schools in Kansas are:

- Beeson Elementary School in the Dodge City School District;
- Lincoln Elementary in the Lincoln School District;
- Syracuse High School in the Syracuse

School District;

- Blue Valley North High School in the Blue Valley School District; and
- Ellsworth Elementary School in the Ellsworth School District.

Some of the most outstanding qualities present in all Blue Ribbon Schools included:

- Caring educators focusing on ensuring all students meet or exceed high academic standards, regardless of a student's ability, restraints due to poverty, disability, gender, race, or language barrier;
- Data-driven instruction ensuring individual students receive the most effective interventions for each need;
- Principals and teachers working as teams;
- Principals who clearly empower teachers; and
- Perseverance and positive attitudes in spite of great challenges, whether lack of resources in the districts or students with many personal challenges.

Commission members asked Blue Ribbon School representatives to explain how their schools had reached such a high level of achievement. Highly motivated and effective leaders and focused, hands-on professional development were two major reasons cited for Blue Ribbon School successes. Some examples from Blue Ribbon recipients are included below.

Principals with exemplary leadership abilities developing empowered teachers was one of the main factors cited for outstanding achievement in individual schools. For example, the principal from Syracuse High School told members that

the teachers determine the curricula in that school. "This is not a top down decision."

One Blue Ribbon School principal takes all the school's students into the gym once a week allowing teachers more planning time together.

Successful principals seemed to have an attitude of collaboration, ability to communicate clearly, and a "servant-leader" mentality, encouraging teachers, staff, and students to achieve the best possible outcomes.

The majority of the Blue Ribbon recipients represented schools with high and growing numbers of disadvantaged students, which only seemed to spur school staff on to greater achievements.

POSTSECONDARY EDUCATION

Kansas Board of Regents Legislative Initiatives

Reginald L. Robinson, President and CEO, Kansas Board of Regents (KBOR), presented an overview of the KBOR legislative initiatives proposed by the Board of Regents for the 2009 Legislative Session at the Committee's October and November meetings.

Highlights of the initiatives include:

- Community College Property Ownership—This would permit community colleges to own property outside their local college taxing district, but within their assigned service areas.
- KAN-Ed Funding—Would amend current statutes to fully fund KAN-Ed from the Kansas Universal Service Fund (KUSF) at \$10 million per year.
- Kansas Board of Regents Mandatory Retirement Plan Amendment—This statute allows for retirement plan participants to

continue participation in that plan when they are on leave of absence from their educational institution and working for the executive branch of state government. New 403(b) regulations that apply to education retirement plans do not allow participation by employees who do not work for or provide services to an educational institution. Legislation is needed to clarify participation. If the amendment is approved, there would be no additional cost to the State.

- University of Kansas Medical Center (KUMC) Tort Claims—Enact in statute, as opposed to budgetary proviso, the inclusion of medical students enrolled at the University of Kansas Medical Center for purposes of the Tort Claims Act.
- State University Non-State Funded Construction—This would amend current statutes to modernize and improve the current method of constructing and renovating buildings on university campuses by eliminating the bureaucracy and restrictions involved in the process of hiring architects, engineers, and contractors.
- State University Reimbursement of Moving Expenses—Update KSA 76-727, by eliminating the 12,000-pound weight maximum for moving expenses, allowing the Board of Regents and state universities the discretion to pay full moving costs when recruiting chief executive officers and distinguished faculty.
- State University Student Financial Assistance—Amend current statutes to allow state universities, as authorized by the Board of Regents, more flexibility to provide scholarships, fellowships, and tuition and fee waivers to undergraduate students, as well as to graduate students for their educational programs.

- Technical Education Authority Amendments—Technical amendments to current statutes to clarify language.

Mr. Robinson reported that deferred maintenance projects at the Regents' universities are moving forward. KBOR is keeping the Joint Committee on State Building Construction informed of the progress and any problems that have arisen. The tax credit program, authorized by legislation enacted during the 2007 Legislative Session, became available on July 1, 2008. KBOR is working with prospective donors to generate support for the universities.

In response to questions from the Committee, Mr. Robinson indicated deferred maintenance issues and additional incentive to address them is not included in the proposed initiatives for the 2009 Legislative Session. With regard to the item related to KAN-Ed, Mr. Robinson noted that there has been some discussion as to how KAN-Ed could assist with the teacher shortage across the state; however, no proposal has come forth and none of the proposed funding has been directed to such a program. Mr. Robinson felt that KAN-Ed is fully utilized within the current framework.

COMMITTEE RECOMMENDATIONS

The Committee agreed to introduce all the postsecondary education initiatives proposed by the Kansas Board of Regents.

Report from the Technical Education Authority

Joe Glassman, Chairman, Technical Education Authority, spoke to Committee members in September, reporting progress toward the improvement of the postsecondary technical education system. Mr. Glassman stated the 2008 Kansas Legislature created the Kansas Postsecondary Technical Education Authority, under the auspices of the Kansas Board of Regents,

with the charge of reforming the postsecondary technical education system. Mr. Glassman also stated that legislation required the governing bodies of Northeast Kansas Technical College, Kansas City Area Technical School, Kaw Area Technical School, Salina Area Technical School and Southwest Kansas Technical School to submit to the Board of Regents a plan to merge or affiliate with a postsecondary educational institution or become an accredited technical college with an independent governing board. Four institutions have merged with other colleges effective July 1, 2008, and Salina Area Technical School has submitted a plan to become a stand-alone technical college with an independent governing board to become effective July 1, 2009.

Mr. Glassman stated the Authority has set a rapid pace toward the improvement of the technical education system. The Authority has hired a Vice President for Workforce Development; established an operational committee structure to address issues related to program alignment, finance, and marketing; and scheduled alternative meetings outside the Topeka area to better connect with local regions throughout Kansas. The Authority has approved a demand-driven approach that will better align technical program curricula with the needs of Kansas businesses, improve the seamlessness of the postsecondary technical education system, and utilize industry-based assessments to verify the skills of program graduates.

During the next year, the Authority plans to continue the refinement of the tiered funding model to ensure that the investment drives colleges to develop and offer critically needed technical programs supporting high-wage, high-demand industries. The Authority also will continue its focus on system accountability measurements such as return on investment for students and Kansas taxpayers, certification rates, and job placement percentage.

The final report of the Technical Education Commission is included as an attachment to this report.

State University Admissions Task Force

At its November meeting, Regent Gary Sherrer presented the following report: *State University Admissions Task Force Findings and Recommendations from October 2008*. The charge to the Task Force by the Kansas Board of Regents (Board) was to “advise the Board and make recommendations regarding optimal state university admissions policies for year 2010 and beyond.” Regent Sherrer chaired the Task Force of 16 individuals from across the state with a variety of professional and civic backgrounds. The Task Force heard more than 14 hours of testimony from 16 groups and individuals. After a year of work, the Task Force made the following recommendations:

Admissions

- That the Board implement annual data collection and reporting on the impact of the specific qualified admissions criteria, with particular emphasis placed on tracking the success of students once they have enrolled in postsecondary education.
- That the Board continue annual collection and reporting of data on diversity, in particular data on student enrollment that reflects the state’s changing demographics.
- That admissions standards be removed from statute and that the Board be given authority to establish admission standards.
- That resident and non-resident home-schooled and other students graduating from non-accredited schools be admitted with qualifying ACT or GED test scores.
- That the qualified admissions pre-college curriculum be updated, specifically the

technology requirement.

- That non-resident students admitted in the conditional admissions category be allowed to continue at the institution as long as they meet the academic requirements of the institution.
- That algebra taken in middle school count toward satisfying the Board's qualified admissions curriculum requirements. The Task Force further supports adoption of a pre-college curriculum that requires successful completion of a math course in the senior year.
- That the Board coordinate the electronic reporting the pre-college curriculum to the State Department of Education and enable transcripts to reflect this status.

Transfer

- That the Kansas Core Outcomes project be continued in light of the increasing trend of students who come to a university with transfer credits, or are earning transfer credits while enrolled at a university.

- That a separate exception window be developed for transfer students.

Concurrent Enrollment

- That the recently initiated concurrent enrollment program data collection process continue and expand with results used to assure a consistent level of quality.

Kansas Autism Task Force

The 2007 Legislature created the Kansas Autism Task Force, which is composed of twenty-four members. The Task Force is statutorily directed to study and conduct hearings on issues related to the needs of and services available for persons with autism. State law also requires that the Task Force submit reports to the LEPC. Unless extended, the term on the Task Force ends on December 31, 2008.

The Final Report of the Kansas Autism Task Force to the 2009 Legislature is included in the publication. Also included is the Final Report of the Kansas Technical College and Technical School Commission

**Report of the
Special Education Funding Task Force
to the
2009 Kansas Legislature**

CHAIRPERSON: Dr. Alexa Posny

VICE-CHAIRPERSON: Bert Moore

OTHER MEMBERS: Representatives Clay Aurand and Gene Rardin; Mike Lewis, Dr. Tim Wurtz, Lori Hisle, Mary Anne Trickle, Glennys Doane, Dr. Rob Balsters, Dr. Neil Guthrie, and Dr. Wade Anderson

STUDY TOPICS

The Task Force has authority to:

- Study and make recommendations for changes in the existing formula for funding of special education and related services, including, but not limited to, medicaid replacement state aid;
- Conduct hearings and receive and consider suggestions from teachers, parents, the Department of Education, the State Board of Education, other governmental officers and agencies, and the general public concerning, funding for special education and related services; and
- Make and submit reports to the Legislature on the work of the Task Force including recommendations for legislative changes.

December 2008

Senate Education
1-22-09
Attachment 3

Special Education Funding Task Force

REPORT

CONCLUSIONS AND RECOMMENDATIONS

The Task Force recommends state law concerning special education and related services be amended so that special education personnel may, on a limited basis, provide academic or behavioral services to students who are in need of intervention, as a means to prevent the need for special education services at a later date.

The Task Force delayed making a recommendation changing the current special education funding formula in order to evaluate equitability of the formula and the Multi-Tier System of Support (MTSS) expenses and results in preparation for resumed meetings of the Task Force in the summer of 2009.

Proposed Legislation: The Task Force does not have authority to introduce legislation itself; however, it recommends that legislation be introduced amending state law as described above.

BACKGROUND

The 2008 Legislature created the Special Education Funding Task Force, which is composed of eleven voting members, and the Commissioner of Education who serves as an *ex officio*, nonvoting member. The statutory duties of the Commission include:

- Study and make recommendations for changes in the existing formula for funding of special education and related services, including, but not limited to, Medicaid Replacement State Aid; and
- Conduct hearings and receive and consider suggestions from teachers, parents, the Department of Education, the State Board of Education, other governmental officers and agencies, and the general public concerning funding for special education and related services.

The Task Force will sunset on June 30, 2011.

The Task Force is to submit an annual report to the Legislature on the work of the Task Force including recommendations for legislative changes.

COMMITTEE ACTIVITIES

The first meeting of the Special Education Funding Task Force was held on August 8, 2008. Task Force members unanimously supported Dr. Posny for Chairperson of the group, with Bert Moore as the Vice-Chairperson.

Dr. Jay G. Chambers, Senior Research Fellow and Managing Director of the Education and Public Sector Finance Group and former Director of the Special Education Expenditure Project and the American Institutes for Research,

provided a foundation for the Task Force's work by discussing the following:

- Major policy issues facing special education;
- State financing systems for special education;
- Patterns of special education spending; and
- Adequacy and special education funding.

Dr. Chambers outlined the national issues facing special education administrators. Some of those issues are:

- Rising special education enrollments;
- Increasing costs of special education;
- Emphasis on students' placement in the least restrictive environment; and
- Lack of federal funding for special education.

Dr. Chambers described how federal law (the Individuals with Disabilities Education Act or IDEA) outlines special education requirements but states and localities must implement the law and provide most of the funding.

On average, the federal government supplies only 13 percent of special education funding across the states, while states provide 55 percent and localities supply 32 percent.

Dr. Chambers told members there are five basic types of funding formulas. Those formulas are described in the sections that follow.

Pupil Weights

- Aid is allocated on a per student basis.
- More funding is available for high-cost

students.

- Funding weights are differentiated on student placement, disability category, or some combination of the two.
- Nineteen states use this approach.

Census-Based

- Fixed amount applied to all students, *e.g.* total school-age population which implies fixed identification rates across all school districts.
- Not tied to special education count, disability type, category of service, or other student characteristics.
- Ten states use this approach.

Resource-Based

- Based upon teacher units, classroom units, or staffing ratios.
- Funds based on implied resource costs.
- Seven states use this approach, including Kansas.

Percent Reimbursement

- Based on actual expenditure.
- Rules are established for allowable costs and overall caps on identification rates.
- Seven states use this approach.

Variable Block Grant

- Per pupil block grant or total amount distributed by enrollment shares, adjusted for growth in enrollment, state revenues, or inflation.

- Four states use this approach.

Other Funding Types

- Three states use a full-cost reimbursement approach.

In discussing costs for special education across the U.S., Dr. Chambers discussed a national sample of costs taken during the 1999 - 2000 school year which included 41 states, 330 school districts, and 10, 000 children. (Kansas participated in the sampling.)

This study found that \$12,474 was spent to educate the average student with disabilities. This amount included \$4,394 (35 percent) of general education funding and \$8,080 (65 percent) in special education funding. In Kansas, \$11,213 was spent to educate the average student with disabilities, with \$4,120 (37 percent) of general education expenditure and \$7,093 (63 percent) of special education expenditure.

Dr. Chamber's recommendations for the Task Force included:

- Develop a clear definition of "adequate funding" developed within the definition of general school finance adequacy;
- Determine the goals to achieve; and
- Provide for a more integrated approach to special education and general education programs.

Dr. Posny provided additional foundational information for Task Force members' consideration.

Nationwide, over 83 percent of special education expenditures are allocated to direct instruction and related services. Transportation costs account for 7 percent of total expenditures. Administration and support account for about 10 percent.

The highest costs for a special needs student are for a school-aged student serviced in programs outside the public schools at an average amount of \$26,440. In contrast, special education spending on direct instruction and related services for school-aged students served in public schools amounts to \$5,709 per pupil. Central office administration amounts to \$662 per pupil.

Dr. Posny proposed the following questions to be used as a guide in determining the adequacy of any special education funding system:

- Do all districts receive comparable resources for comparable students?
- Are allocations provided in time to plan for services?
- Are local districts able to deal with unique local conditions in a cost-effective manner?
- Are local districts responsible for outcome accountability?
- Are data requirements, record keeping, and reporting reasonable?
- Does the special education funding system have a clear link to the general funding system?

Special Education Funding Task Force Public Hearing

At its September meeting, the Task Force invited public comment, and many testified before the Task Force. Those presenting testimony included:

- Deborah Haltom, Director of Special Education, Shawnee Mission School District
- Mark Hauptman, Associate Superintendent of Special Education, West Central Kansas

Special Education Cooperative

- Dr. Ron Sarnacki, Special Education Director, Cowley County Special Services Cooperative
- Dr. Lynn Ahrens, Director of Special Education, South Central Kansas Special Education Cooperative
- Kim Stephens, Superintendent, USD 463 Udall
- Tom Krebs, Kansas Association of School Boards
- Mary Kelly, USD 259 Wichita
- Doug Bowman, Coordinator, Kansas Coordinating Council on Early Childhood Developmental Services
- Sue Denny, Executive Director of Student Services, USD 229 Blue Valley
- Terry Collins, Director of Doniphan County Education Cooperative
- Rodger Horton, Special Education Teacher, USD 259 Wichita

Evaluating Various Special Education Funding Proposals

At its November 3 meeting, Chairperson Posny shared excerpts of a report entitled *Study of the Incidence Adjustment in the Special Education Funding Model*, which was prepared by Drs. Tom Parrish and Jay Chambers for the California Department of Education. The report describes the two most popular special education funding formulas across the United States: resource-based and census-based.

The report listed numerous criteria for evaluating special education funding formulas. Task Force members discussed, then selected the

criteria they thought should be used to evaluate proposal for Kansas. A proposal should:

- Cause no harm;
- Be politically acceptable;
- Be equitable;
- Have a reasonable reporting burden;
- Be understandable;
- Must have outcome accountability;
- Be fiscally accountable (adequate, cost-based, predictable, and cost-controlled); and
- Be flexible.

The Task Force agreed that two formulas met these criteria: a census-based formula and a resource-based formula similar to the current formula but with some modifications.

These two funding proposals were discussed at length at the December 15 meeting. The Task Force agreed that more information was needed to make a funding recommendation to the Legislature. The Task Force agreed that more flexibility is needed regarding the work of special education personnel in local school districts. Specifically, if special education personnel could work with students not yet identified as needing special education services, the number of students eventually identified as special education students would be reduced. This could involve special education personnel working with the Multi-Tier System of Support (MTSS) providing interventions for students who have not been identified as needing special education or related services but who appear to need additional academic and behavioral support to succeed in a general education environment. For the past three years, nine Kansas school districts have implemented the MTSS. Task Force members agreed that a review of the

outcomes of the use of the MTSS should be done before a recommendation could be made.

In addition, the Task Force agreed that a more thorough discussion and review of parameters to be used in defining equitability across school districts regarding special education funding should be done before a recommendation for a funding formula change could be made.

Because of this, the Task Force decided that more thorough evaluations would be conducted, at the direction of the Commission of Education, and presented to the Task Force at a meeting to take place in the summer of 2009.

CONCLUSIONS AND RECOMMENDATIONS

The Task Force recommends state law concerning special education and related services be amended so that special education personnel may, on a limited basis, provide academic or behavioral services to students who are in need of intervention, as a means to prevent the need for special education services at a later date.

The Task Force delayed making a recommendation changing the current special education funding formula in order to evaluate suitable parameters to be used in defining the equitability of the formula and the Multi-Tier System of Support (MTSS) expenses and results in preparation for resumed meetings of the Task Force in the summer of 2009.

**Report of the
Kansas Autism Task Force
to the
2009 Kansas Legislature**

CHAIRPERSON: Bill Craig

LEGISLATIVE MEMBERS: Senators Donald Betts and Julia Lynn; and Representatives Melody McCray-Miller and Judy Morrison

NON-LEGISLATIVE MEMBERS: Sarah Bommarito, Kathy Ellerbeck, Jarrod Forbes, Denise Grasso, Louise Heinz, Linda Heitzman-Powell, Yeyette Houfek, Donald Jordan, Linda Kenney, Tracy Lee, Jim Leiker, Martin Maldonado, Dee McKee, Nan Perrin, Matt Reese, Colleen Riley, Michael Wasmer, Jane Wegner, and Jeanie Zortman

STUDY TOPIC

The Kansas Autism Task Force is directed statutorily to study and conduct hearings on the issues related to the needs of and services available for persons with autism. State law requires that the Task Force submit reports to the Legislative Educational Planning Committee (KSA 46-1208d).

December 2008

*Senate Education
1-22-09
Attachment 4*

Kansas Autism Task Force

FINAL REPORT

CONCLUSIONS AND RECOMMENDATIONS

As a result of its findings, the Kansas Autism Task Force recommends that agencies which serve as support systems for families and children with autism (Kansas Department of Health and Environment (KDHE), Department of Education, and the Department of Social and Rehabilitation Services (SRS)) should incorporate the guidance of the "Best Practices in Autism Intervention for Kansas" handbook (attached) produced by this Task Force into their administrative guidelines.

As a result of its findings in other areas, the Kansas Autism Task Force recommends the Legislature consider and adopt legislation as follows:

- Create a specific mechanism in the KDHE *tiny-k* funding formula to support local *tiny-k* providers who must provide high cost, intensive services when they are required by a child's Individualized Family Service Plan (IFSP).
- Expand funding of the Autism Medicaid Waiver to fully serve the current waiting list and transfer the future funding of this program to the consensus estimating process, where anticipated need will be the basis for funding. A waiting list is not an acceptable option.
- Pass legislation which requires that health insurance policies cover the diagnosis and appropriate treatment of individuals with autism.
- Pass legislation which creates and funds a scholarship program to support the education of professionals in the field of autism who agree to serve in underserved areas of the State.
- Pass legislation to fully fund the Mental Retardation/Developmental Disabilities Home and Community Based Waiver (HCBS) waiting list and create adequate rates for the Developmental Disability system.
- To complete the objectives set for it by the Legislature, the Kansas Autism Task Force must have its term extended for an additional year. The necessary legislative authorization to accomplish this should be made retroactive to January 2009. (Please see the "Task Force Activities" section, page 4, for the complete rationale for this extension.)

In addition, the Department of Education should strive to ease the access to Catastrophic Aid funds for school districts who serve high-cost students, such as those with autism.

It is incumbent on the three state agencies primarily responsible for services to individuals with autism (KDHE, Department of Education, and SRS) to collaboratively maintain a dynamic mapping website of the availability of services and supports across the state with current contact information. This site should be readily available and usable by parents seeking information and service.

Proposed Legislation: The Kansas Autism Task Force has no authority to introduce legislation.

BACKGROUND

The Kansas Autism Task Force was established by 2007 SB 138 to study and conduct hearings into issues including but not limited to:

- The realignment of state agencies that provide services for children with autism;
- The availability or accessibility of services for the screening, diagnosis and treatment of children with autism and the availability or accessibility of services for the parents or guardians of children with autism;
- The need to increase the number of qualified professionals and paraprofessionals who are able to provide evidence-based intervention and other services to children with autism and incentives which may be offered to meet that need;
- The benefits currently available for services provided to children with autism;
- The study and discussion of an autism registry which would (a) provide accurate numbers of children with autism, (b) improve the understanding of the spectrum of autism disorders and (c) allow for more complete epidemiologic surveys of autism spectrum disorders;
- The creation and design of a financial assistance program for children with autism;
- The establishment of a hotline that the parents or guardians of children with autism may use to locate services for children with autism;
- Additional funding sources to support programs that provide evidence-based intervention or treatment of autism, including

funding for the development of regional centers of excellence for the diagnosis and treatment of autism; and

- Develop recommendations for the best practices for early evidence-based intervention for children with autism.

TASK FORCE ACTIVITIES

The Task Force and its subcommittees met frequently in 2008. For a detailed description of the activities of the Task Force, refer to the minutes of meetings dated March 5, April 14, June 12, July 16, August 22, September 17, and November 12, 2008.

The Task Force decided to make a request to the 2009 Legislature to extend the term of its activity for an additional year for the following purposes:

- A final edition of the "Best Practices in Autism Treatment in Kansas" handbook must await the incorporation of the soon-to-be released national standards manual. Subsequently, a readily accessible version of this document will be made available to all interested families, providers, and others.
- The Task Force believes it must be available as a resource to the 2009 Legislature during the Session as it deliberates the recommendations of the Task Force.
- At the conclusion of the extension year the Task Force will make a recommendation to the Legislature for a mechanism to provide ongoing advice and oversight for the concerns of Kansans with autism.

CONCLUSIONS AND RECOMMENDATIONS

Our Findings

- Autism spectrum disorders (ASDs) are biologically based, neurodevelopmental disabilities with a strong genetic component that are characterized by impairments in communication, social interaction and sensory processing. With varying degrees of severity, ASDs interfere with an affected individual's ability to learn and to establish meaningful relationships with others.
- The prevalence of ASDs in Kansas (and nationwide) is increasing in epidemic proportions. (The Centers for Disease Control currently report the prevalence of ASDs as 1 in 150 births. Ten years ago, this estimate was 1 in 2,500.)
- There is no proven "cure" for autism and the effects of this disability are typically lifelong. However, effectiveness of early, intensive intervention in reducing the effects of this disorder is supported by a growing body of scientific research. The costs of this intervention for at least three years during the crucial developmental age (1 through 7) may exceed \$150,000.
- Half of the individuals who receive this level of intervention do not require subsequent special education services and 80 percent show measurable reduction in symptoms. The cost of supporting an individual with autism who does not receive such intervention through age 55 is estimated to average \$4,400,000.

Current Barriers

The current barriers to individuals with autism and their families in Kansas include:

- Long wait times for thorough diagnostic assessments by properly certified

professionals.

- The *tiny-k* network which provides the front line for early identification and intervention in Kansas is not adequately funded and provides no allowance for the high cost of early intervention.
- There is a dramatic shortage of qualified personnel to implement early intervention.
- The qualified personnel who are available are concentrated in the urban areas and not accessible to vast portions of rural Kansas.
- Current funding for the newly created Autism Waiver is limited to fewer than 50 children. The current waiting list contains more than three times the current number served.
- The only source local school districts have for covering the expense of these high cost services is Catastrophic Aid funding through the Kansas Department of Education.
- Currently, the Kansas Insurance Department has no authority to require non-discriminatory coverage for Kansans with autism.
- Most Kansas families of individuals with autism eventually will need to look to the public Developmental Disability system for services. The current waiting list for needed service (2,233 individuals waiting for HCBS services and an additional 1,279 awaiting other services, for a total of 3,512) is growing each year as appropriations have failed to keep pace with the need. In addition, the inadequacy of reimbursement rates to cover the cost to recruit and retain direct support workers of acceptable quality has further rendered this system a broken resource.

Vision Statement

The Task Force expresses the following Vision Statement for autism supports and services to which Kansas should aspire.

All children in Kansas will receive screening for a developmental delay within the first year of life and for an autism spectrum disorder (ASD) within the second year. Children with a positive ASD screen will be referred for evidence-based intensive intervention immediately while undergoing a thorough diagnostic assessment within six months. Evidence-based intervention services (defined as at least 25 hours a week of systematic intervention for a period of three years for a child under the age of 8) will be readily available for all Kansas children with an ASD.

High quality supports will be readily available to persons with autism who require them throughout the life span.

Families, public schools, state and federal programs, service providers, and private health insurance carriers must each be fully participating partners in the achievement of this vision.

LEGISLATIVE RECOMMENDATIONS

As a result of its findings, the Kansas Autism Task Force recommends that agencies which serve as support systems for families and children with autism (KDHE, Department of Education, SRS) should incorporate the guidance of the "Best Practices in Autism Intervention for Kansas" handbook produced by this Task Force into their administrative guidelines.

As a result of its findings in other areas, the Kansas Autism Task Force recommends the Legislature consider and adopt legislation as follows:

- Create a specific mechanism in the KDHE *tiny-k* funding formula to support local providers who must support high cost, intensive services identified in a child's Individualized Family Service Plan (IFSP).
- Expand funding of the Autism Medicaid Waiver to fully serve the current waiting list and transfer the future funding of this program to the consensus estimating process, where anticipated need will be the basis for funding and a waiting list is not an option.
- Pass legislation which requires that health insurance policies cover the diagnosis and appropriate treatment of individuals with autism.
- Pass legislation which creates and funds a scholarship program to support the education of professionals in the field of autism who agree to serve in underserved areas of the state.
- Pass legislation to fully fund the Mental Retardation/Developmental Disabilities HCBS waiting list and create adequate rates for the Developmental Disability system.
- To complete the objectives set for it by the Legislature, the Kansas Autism Task Force must have its term extended for an additional year. The necessary legislative authorization to accomplish this should be made retroactive to January 2009. (Please see the "Task Force Activities" section, page 4, for the complete rationale for this extension.)

In addition, the Department of Education should strive to ease the access to Catastrophic

Aid funds for school districts who serve high-cost students, such as those with autism.

It is incumbent on the three state agencies primarily responsible for services to individuals with autism (KDHE, Department of Education, and SRS) to collaboratively maintain a dynamic mapping website of the availability of services and supports across the state with current contact information. This site should be readily available and usable by parents seeking information and service.

Attachment: Executive summary of the "Best Practices in Autism Intervention for Kansas" handbook.

Executive Summary

Best Practices for Autism Treatment in Kansas

Best Practices Subcommittee of the Kansas Legislative Task Force on Autism

Subcommittee members

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EXECUTIVE SUMMARY
Best Practices Subcommittee

The purpose of this report is to (1) synthesize the evidence regarding effective evidence-based interventions that guide best practices for the treatment of individuals affected by ASD; and (2) based on the findings, make recommendations on best practices for children with autism. This report was generated from the ideology that our process and recommendations are based on the most current science.

Synthesis of Evidence-based Practices

The Best Practices subcommittee agreed to review: 1) other state documents; 2) other comprehensive reviews that have been completed; 3) discipline-specific comprehensive reviews that were submitted to the subcommittee by members of the committee or guest members, and 5) key reports or scientific documents that have been generated in the last 5 years. The subcommittee agreed with Horner and colleagues' (2005) definition of evidence-based practice:

“[evidence-based] Practice refers to a curriculum, behavior intervention, systems change, or education approach designed for use by families, educators, or students with the express expectation that implementation will result in measurable educational, social, behavioral, or physical benefit (pg. 175).”

The Best Practices subcommittee also defined criteria for strong, moderate, emerging, minimal and no evidence of interventions, and these criteria were used to make recommendations. These criteria were developed based on published criteria for reviewing evidenced based practices by prominent researchers and national scientific reviews including the National Standards Project (National Autism Center – <http://www.nationalautismcenter.org/>), the National Research Council, the American Speech-Language-Hearing Association's National Center for Evidence-Based Practice, and the Council for Exceptional Children. The agreed upon criteria were:

- Strongest evidence: more than six studies with more than 20 participants, with beneficial effects and no conflicting results or harmful effects, using Randomized Control Trials or single subject designs, and conducted by 3 researchers in 3 geographic regions.
- Moderate evidence: more than nine studies and the same criteria as used for 'strongest evidence, however one study showing conflicting results.
- Emerging evidence: four to five studies with more than 10 participants, the same benefits and scientific design as for strongest evidence but no criteria for the number or location of research.
- Minimal evidence: one to two studies, with four participants and the same benefits and scientific design as for strongest evidence but no criteria for the number or location of research.
- No evidence: no methodological criterion and no experimental control

Once these sources were identified, the recommendations cited as evidence-based were then synthesized. Interventions and program recommendations that adhered to the committee's criteria for "evidence" were then included in this report. Due to time and resources constraints, the Best Practices subcommittee procedures DID NOT include: 1) a comprehensive, first hand search and review of the scientific literature; 2) a review of all disciplines that could provide services for individuals with an ASD; and 3) a review of alternative medicines or techniques.

Findings and Recommendations to the Autism Task Force

Recommendations in this report are made with the understanding that each individual on the spectrum is unique. Given early diagnosis and intervention, outcomes will vary for individuals with an Autism Spectrum Disorder (ASD) just as outcomes for any child will vary based on individual characteristics. Individualized programs are recommended based on child needs and best available evidence of effective practices.

Recommendations are based on common elements of reported "best practices" and evidenced based programs: data collection and data-based decision making, structured and well-defined teaching procedures, use of procedures to increase desirable behaviors, function-based treatment of problem behaviors, and use of developmentally appropriate and well-rounded curriculum including peers when appropriate. Examples of evidence-based practices included: Applied Behavioral Analysis and Discrete Trial Teaching (e.g., University of California at Los Angeles, and replication sites); and 2 other intervention programs cited in a meta-analysis conducted by Simpson and colleagues (2005) Pivotal Response Training (PRT; University of California at Santa Barbara), and Learning Experiences: An Alternative for Preschoolers and Parents (LEAP). Examples of emerging or probably evidence-based (needing more research) included: Treatment and Education of Autistic and Communication Handicapped Children (TEACCH; University of North Carolina); and individual interventions such as assistive technology, augmentative alternative communication (AAC), incidental and naturalistic teaching, joint action routines, peer mediation intervention strategy, social stories intervention strategy, developmental play/assessment teaching, Picture Exchange Communication System (PECS), and video modeling.

Recommendations are also inclusive of general characteristics of quality programs based on syntheses provided of *Model Early Childhood Programs for Children with ASD* (see Boulware, et al. 2006; Dawson & Osterling, 1997; the National Research Council, 2001). Programs considered high quality by the reviewers (i.e., using evidenced-based practices, favorable reviews by multiple professional organizations) found a range of 15-40 hours per week of service, with average of 25 hours week. They found that the characteristics necessary for an effective program are: use of a comprehensive curriculum sensitive to developmental sequence, use of supportive, empirically validated teaching strategies, involvement of parents, gradual transition to more naturalistic environments, highly trained staff, and a systematic supervisory and review mechanism.

Finally, a large project sponsored by the National Autism Center, recently completed the National Standards Project, as an effort to use scientific merit to identify evidence-based guidelines for treatments of individuals with ASD younger than 22 years of age. The focus of the project was limited to “interventions that can reasonably be implemented with integrity in most school or behavioral treatment programs. A review of the biomedical literature for ASD will be left to another body of qualified individuals.” (Wilczynski, et al., 2008, p. 39). A panel of multidisciplinary autism researchers applied a rigorous scoring system to evaluate the quality and usefulness of interventions for individuals with ASD described in nearly 1,000 studies. Results of the project are expected before the end of 2008 (<http://www.nationalautismcenter.org>). A recent publication by those involved in the *National Standards Project* includes recommendations of the best practices listed above (e.g., discrete trial training). The report also recommends four key behavior support interventions including: antecedent (preventive) intervention, positive reinforcement to decrease challenging behavior, behavior-contingent (restrictive) intervention as a function-based approach, and family support.

The following recommendations are the results of the Best Practices subcommittee work for the Legislative Task Force on Autism.

Best Practice Recommendations based on a Synthesis of Sources

1. Use of a model based on the science of human behavior such as that found in an Applied Behavior Analysis model of intervention. Applied Behavior Analysis has been referenced throughout the literature as having the most scientific evidence to support the use of techniques found in intensive behavioral programs.
2. Entry into intervention as soon as an ASD diagnosis is seriously considered rather than deferring until a definitive diagnosis is made.
3. Intensive early intervention is recommended. Intensive intervention has been defined throughout the review as active engagement of the child at least 25 hours per week, 12 months per year, in systematically planned, developmentally appropriate community, home, and educational-based interventions designed to address identified objectives.
4. Instructional programs and curriculum address all areas of delay and specifically address core deficits of ASD (e.g., social, communication, and repetitive/stereotypic behaviors).
5. Ongoing measurement and documentation of the individual child’s progress toward identified objectives are recommended.
6. Promotion of opportunities for interaction with typically developing peers.
7. Problem or interfering behaviors are targets for reduction and/or replacement by using empirically supported strategies to teach socially valid replacement behaviors.
8. The staff members delivering the intervention have received specialized training in ASD that includes an experiential component.
9. Inclusion of a family component (including parent training as indicated); must involve family participation in development of goals, priorities and treatment plans and provide on-going parent support, training and consultation.

This report offers a synthesis of evidence-based practices and program characteristics for young children with ASD. Examples of quality programs are referenced, and characteristics described. Single intervention strategies with evidence supporting their effectiveness are also described. Recommendations to the Autism Task Force are provided as guidelines for practitioners to

improve outcomes for children with ASD, and support for their families across the state of Kansas. Guidelines are based on current research and our review process of the research as described (review of state documents, reports from professional organizations, literature syntheses, and meta-analyses reports). A final recommendation is to provide periodic updates and supplements to the report as new research and treatment are developed.

Kansas Technical College and Technical School Commission

FINAL REPORT

CONCLUSIONS AND RECOMMENDATIONS

The Commission noted that the Kansas Postsecondary Technical Education Authority has made great strides in meeting the goals set out for it by the Commission and its enacting legislation by:

- working toward certification of all technical education programs, allocating funding equitably,
- incorporating adequate career guidance into the lower grades via the Kansas Career Pipeline,
- streamlining alignment of the needs of business and industry with what is being taught, and
- ensuring that completers of technical education programs throughout the State master a core set of skills.

However, there are more steps to be taken toward the goal of maximizing technical education in Kansas. The first is including P-20 initiatives for technical education in the hope of capturing those students who otherwise would leave high school without any marketable skills. The second is enhancing awareness of the opportunities provided by technical education. The third is the development of long-term relationships with business and industry that address short-term and long-term needs on both sides.

In addition, the Commission recommends the review of statutory changes outlined in this report.

Proposed Legislation: None

BACKGROUND

The 2006 Legislature, by proviso in the Omnibus Appropriation Bill (Senate Sub. for House Bill 2968), authorized the establishment of the Kansas Technical College and Vocational School Commission. The Commission was composed of eight members, seven voting members and one *ex officio*, nonvoting member. The Commission was charged to study the mission, governance, and funding of Kansas technical colleges and

vocational education schools. The Commission submitted its final report and recommendations to the 2007 Legislature in March 2007. Among the recommendations of the Commission was the creation of a Postsecondary Technical Education Authority (Authority).

The 2007 Legislature acted on that recommendation with Senate Sub. for House Bill 2556, which created the Postsecondary Technical Education Authority. In addition, the

Kansas Technical College and Technical School Commission was created as a statutory entity in that legislation. The Commission has nine voting members and one *ex officio* member appointed as follows:

- One member appointed by the Senate President;
- One member appointed by the Senate Minority Leader;
- One member appointed by the Speaker of the House;
- One member appointed by the House Minority Leader;
- Two members appointed by the Governor, including one resident of northeast Kansas; and
- Three members appointed by the Board of Regents - a member of the Board, the president of a technical college, and a representative of a community college that provides technical education.

Under the legislation, the Commission is once again tasked with the study of the mission, governance, and funding of Kansas technical colleges and technical schools. While the community colleges are not named in the legislation, the amount of technical education provided by them has led the Commission to include community colleges in its discussions. The Commission also is required to submit reports of its activities and recommendations to the Legislative Educational Planning Committee (LEPC) with a preliminary report by November 15, 2007, and a final report by November 15, 2008. The Commission expires on December 31, 2008.

COMMITTEE ACTIVITIES

The Commission met on October 13 to review the activities of the Postsecondary Technical Education Authority and formulate its final report to the 2009 Legislature.

The Chairman of the Authority briefed the Commission on the Authority's initial development, its current activities, and its vision for the future. The conferee expressed the importance of technical education and commented that the Kansas Career Pipeline has become an important partner for technical education in Kansas. It also was noted that the State Board of Education has provided valuable assistance and the Vice President of Workforce Development, the Vice President of Finance and Administration, and all of the other technical education staff at the Board of Regents were complimented for their diligence, astuteness, and alacrity in moving forward with the Authority initiatives.

The conferee noted that credentialed technical education students will remain in Kansas and suggested the following ways to make technical education a more viable facet of education for Kansas students:

- Deliver technical education through programs offered year round in the 29 post secondary institutions;
- Encourage the Kansas Chamber of Commerce and business and industry to support technical education;
- Extend the existence of the Commission for another two years; and
- Recommend to the Kansas Legislature alternative sources for funding technical education, such as:
 - Establishing a tax credit for businesses;
 - Implementing a statewide .25 sales tax for technical education; and
 - Encouraging businesses to support funding for technical education.

The conferee observed that technical education has an estimated average cost of \$4,500 to \$5,000 per student, and that adding 10,000 more students would cost an additional \$50.0 million.

The conferee outlined the strategic priorities for the Authority:

- Align the Authority's leadership by focusing on critical industry clusters;
- Align education with business and industry needs;
- Align educational offerings by developing a common core curriculum and standards of excellence;
- Emphasize technical education and career options at the elementary and secondary levels;
- Enhance the image of technical education;
- Enhance funding for technical education;
- Champion technical education reform; and
- Develop benchmarks and accountability standards.

The conferee emphasized that credentialing is key to business and industry support; he suggested a "Kansas Guarantee" that an employee who displays inadequate training after being credentialed will be retrained to meet industry expectations.

The Vice President of Workforce Development of the Kansas Board of Regents gave a progress report on a technical education funding formula. The conferee noted the complexity of the process, commenting on the current differing funding streams and myriad of rules applying to postsecondary technical education funding. The conferee stated that a national study conducted by Johnson County Community College (JCCC) provided data used as a foundation for the new approach to funding, which relies on a tiered approach. The Commission learned that the Authority is developing a formula based on program costs identified in the JCCC study. The new approach to funding will support technical

education more consistently across the individual sectors.

The Vice President of Finance and Administration of the Kansas Board of Regents continued the explanation regarding the funding formula. The conferee stated that one disparity has been eliminated: clock hours were dropped and all class credits are based on credit hours. In addition, the conferee said the cost model includes instructional costs and capital costs, and currently, the Authority staff is collecting course-level data statewide.

The Chairman requested that the Commission receive a succinct statement from the Authority, to include what is needed, how much it will cost, and what outcomes can be anticipated. The Chairman of the Authority said a report will be provided by November. He explained that the Authority will propose a three-year plan for accomplishing its initial goals. Dr. Blake Flanders said that the first step will be to run the data through a prototype formula, which should demonstrate the basic costs of technical education statewide; then, if necessary, policies can be developed to redistribute available funding.

Members complimented the Authority on its vision and its expeditious, forward-thinking activities.

A member noted the disparity of funding between community colleges, which can access property taxes, and technical colleges, which cannot. Mr. Glassman said the disparity is one of the issues to be considered in developing a funding formula.

The Director of Innovation and Improvement of the State Board of Education referred to nine motions approved by the Board on February 13, 2008. The Director indicated that the meeting was a watershed event which signaled an unprecedented change in the Board's approach to technical education. Commenting on the motions, he said the first two motions redesign the

standards for technical education and integrate core content into 16 career clusters. The third motion begins technical education at least as early as eighth grade with a career pipeline inventory, and the fourth removes barriers to provide access to business partnerships. The final motion recommends the creation of dynamic funding systems based on meeting workforce and economic needs.

Members discussed extending the Commission's existence for another two years. The two legislative members said such an extension would take further legislative action.

The Vice President of Workforce Development referred to the information submitted with respect to legislative reform, commenting that the document addresses the need to codify the funding proviso into a statute and offers statutory changes to reflect federal requirements and current educational practices. He offered to send the complete document to members to peruse.

Report on Statutory Compliance

The Commission asked the Authority staff to provide a report outlining its compliance with the enacting legislation. The following information was provided by the Authority:

Statutory Requirement:

The Postsecondary Technical Education Authority shall:

(1) Have delegated authority from the board of regents to coordinate state-wide planning for postsecondary technical education, new postsecondary technical education programs and contract training. Such planning shall be conducted in coordination with federal agencies, the state board of education and other state agencies and Kansas business and industry.

Response:

The Authority has set a rapid pace on the road toward the improvement of the technical education system. During this initial year, the Authority established priorities to respond to legislative direction and to support its mission to

“Drive the advancement of a robust technical education system in Kansas through immediate and long-term technical training recommendations based on data-driven factors that ensures the delivery model matches a skilled workforce with business demands.”

As discussed before, the four broad priority areas on which activities were focused during 2007-2008 included:

- Establishing the Authority and Leadership:
 - Elected officers;
 - Established meeting dates, times, and locations throughout the state;
 - Established a committee structure (Program and Curriculum; Budget and Finance; and Marketing);
 - Hired a Vice President for Workforce Development and identified staffing needs; and
 - Established member liaisons to institutions.

- Collecting Workforce Intelligence:
 - Reviewed existing statewide labor market information; and
 - Directed additional workforce study be completed to determine workforce demand at the regional level.

- Raising Awareness of Technical Education:

- Contracted with Corporate Communications Group to conduct research and design a statewide marketing plan to improve the image of and highlight the importance of technical education to various target audiences, emphasizing career opportunities in existing and emerging industry clusters in the state.
- Implementing Standards of Excellence:
 - Completed development of the Program Inventory system to create a master listing of all technical programs;
 - Established a process for identifying and selecting appropriate industry-based standards and certifications for technical programs; and
 - Approved a process to align technical programs and curriculum that includes establishing statewide business and industry and faculty committees to ensure programs and program graduates meet the needs of business and industry; ensure students are prepared for their future; and enable portability and transferability of skills through industry-recognized credentials.

Activities for each of these priority areas provided opportunities for input from and collaboration with:

- Federal agencies and the State Board of Education through the State Plan for Career and Technical Education, as required by the Carl D. Perkins Career and Technical Education Act of 2006, and through the participation of the Commissioner of Education as an ex-officio member of the Authority.
- In addition to serving as an ex-officio member of the Authority, the Secretary of Labor also serves as the liaison to the State Workforce Board and is a member of the Authority's

Budget and Finance Committee.

- In addition to serving as an ex-officio member of the Authority, the Secretary of Commerce chairs the Authority's Marketing Committee to help coordinate statewide marketing efforts and also is a member of the Authority's Budget and Finance Committee.
- Business and industry committees are being established, as the first phase of the program standards and alignment initiative, to communicate workforce needs, recommend industry-based standards and credentials valued by Kansas employers, and to ensure career technical education program graduates meet the workforce needs.

Statutory Requirement:

The Postsecondary Technical Education Authority shall:

(2) recommend for adoption by the state board of regents rules and regulations for the supervision of postsecondary technical education.

Response:

After considerable review, discussion and input by Authority members, KBOR staff and representatives from community and technical college organizations, 42 statutes are being recommended for inclusion in the Kansas Board of Regents legislative agenda for the 2009 session.

Statutory Requirement:

The Postsecondary Technical Education Authority shall:

(3) review existing and proposed postsecondary technical educational programs and program locations and make

recommendations to the state board of regents for approval or disapproval of such programs for state funding purposes;

Response:

In order to meet this legislative charge and provide a skilled workforce to Kansas businesses, the Authority recognized the need for technical program alignment guided by the following principles. Career technical programs needed to:

- Align with the needs of Kansas business and industry;
- Provide skilled graduates to Kansas businesses, regardless of location;
- Encourage a seamless transition between different education levels; and
- Contain an industry-based assessment tool designed to independently measure the skills of graduates upon program completion.

A program alignment model has been approved by the Authority and Board of Regents for the alignment of technical programs. The model requires a common set of prerequisite courses, a common core of courses, and regionally and institutionally specific courses. Commonality between programs will exist with regard to prerequisites; program core courses; certification, licensure, or credentialing; and program length.

The Practical Nursing (PN) Program has completed this alignment process resulting in a statewide offering, that once had varied prerequisites, program credit hour requirements, and core requirements, with a common statewide program structure in each Kansas Board of Regents (KBOR) approved program throughout the state.

Each College's PN program will now consist of:

- A maximum of seven credit hours of

prerequisites consisting of the same two courses;

- 30 credit hour common nursing core courses;
- A maximum of 11 credit hours of institution-specific coursework for a maximum program length of 48 credit hours; and
- A common assessment tool to measure technical skill attainment.

The steps taken toward alignment of programs at the postsecondary level are only a part of the alignment of the entire system. Postsecondary program alignment will allow for consistent alignment and articulation with secondary programs as well as potential articulation with programs at four-year institutions. Alignment with secondary education is not only a priority set forth in legislation, but also integrated throughout the objectives of the alignment process and the State Plan for Career and Technical Education through the integration and development of career cluster and pathway models. Once postsecondary students leave the educational system, the alignment of the system continues within business and industry as credentialed, licensed, or certified students meet the current needs of business and industry

The process for processing requests for new career technical programs includes a review by the Authority Program and Curriculum committee and an approval recommendation by the full Authority. The Authority Program and Curriculum Committee reviews new program requests and makes recommendations to the Authority regarding approval or denial of the program based on alignment with critical industry; high growth, high wage needs; and collaboration among colleges. Programs recommended for approval by the Authority are then forwarded to the Regents for final consideration and approval. Policies have been implemented to streamline the process and hold KBOR staff accountable to institutions for timely turn-around and constructive feedback.

Statutory Requirement:

The Postsecondary Technical Education Authority shall:

(4) review requests of state funding for postsecondary technical education and make recommendations to the state board of regents for amounts of state funding and the distribution thereof;

Response:

The Postsecondary Technical Education Authority charged an Ad Hoc Funding Distribution Workgroup composed of staff and institutional experts with generating a conceptual, or “straw man,” model for funding technical education which was presented to the Authority on August 6, 2008. The new credit hour funding approach is composed of three cost components that include instructional, extraordinary and indirect costs associated with delivering career technical education programs. This model is designed to align an Authority-determined education program cost (what it should cost) with a state share paid to the institution for the delivery of the courses. The Authority is generally supportive of the model’s concepts and has directed staff to move forward with continued development of a prototype based on actual enrollment data submitted by the institutions with a goal of implementing a new funding formula, effective FY 2011.

In addition, the Authority reviewed, approved and made recommendations to the Regents regarding the distribution of state funds appropriated for Postsecondary Aid, Innovative Technology and Technology Internship grants and the State Technology and Equipment grants. Funding for the grants was determined through a competitive grant process.

Statutory Requirement:

The Postsecondary Technical Education Authority shall:

(5) develop benchmarks and accountability indicators of programs to be utilized in the awarding of state funding and make recommendations relating thereto to the state board of regents.

Response:

The Technical Education Authority charged staff with making major data system improvements to expand the existing data reporting system to support data-driven decision-making. The improvements included collecting data on all courses in which students are enrolled as well as the grade achieved in the course; and, for the first time, collecting data on enrollments in all technical education course offerings, e.g. courses delivered for a specific business or industry (customized training) and continuing education/community service courses. In other words, the system was expanded to include collection of information regarding educational offerings that are not currently accounted for through existing reporting structures.

The Kansas Higher Education Data System will serve as the data source for implementing funding distribution decisions in the future, ensuring consistency in state funding among state institutions that deliver technical education courses.

Statutory Requirement:

The Postsecondary Technical Education Authority shall:

(6) develop and advocate annually a policy agenda for postsecondary technical education.

Response:

The Authority has developed immediate and long-term technical recommendations based upon data-driven factors that ensure the delivery model meets business demands and helps to supply the need for a skilled workforce. To this end, the Authority developed a set of strategic priorities for 2008-2009 as follows:

As detailed below, a portion of the Authority's 2008-09 strategic priorities consists of aligning leadership and resources by focusing attention on critical industry clusters, aligning education with business and industry by partnering with the Kansas Department of Commerce and the Kansas Department of Labor to use labor information to communicate workforce needs, and developing program alignment with standard outcomes, core curriculum, and program length across the state.

Aligning Leadership

- Focus Kansas Postsecondary Technical Education Authority
 - Recommend policy supporting the strategic priorities;
 - Recommend critical industry clusters for additional emphasis;
 - Agribusiness with emphasis on value-added agriculture;
 - Advanced Manufacturing including Aviation;
 - Biosciences with emphasis on animal health and plant science;
 - Health Sciences;
 - Energy;
 - Professional Services; and
 - Construction Trades.

Aligning Education with Business and Industry

- Determine Workforce Intelligence for Kansas Businesses

- Utilize information from various labor studies and sources to communicate workforce needs; and
- Gather real-time workforce data in partnership with Kansas Department of Commerce and Kansas Department of Labor.

- Ensure newly approved programs align with business and industry needs

Aligning Educational Offerings within the System

- Advance Career Technical Program Alignment and Standards of Excellence
 - Continue the alignment of programs and curriculum using the Authority approved program/curriculum framework ;
 - Recommend industry standards, credentials and assessments to validate curriculum outcomes based on input from statewide business and industry committees;
 - Develop common core curriculum, prerequisites, and program lengths through statewide faculty curriculum committees; and
 - Develop and implement programs of study to connect secondary and postsecondary education.

Enhancing System Participation

- Raise Awareness and Image of Technical Education
 - Refine the marketing plan using the final plan and recommendations presented to Authority during its August Retreat;
 - Implement marketing plan activities as funding sources are identified ;
 - Collaborate with the KANSASWORKS State Board (Department of Commerce) for a synchronous marketing plan;

- Link career websites to the Kansas Career Pipeline and other career development partners;
- Increase the number of students participating in CTE programs that are nontraditional for their gender; and
- Collaborate with Kansas Workforce Summit, Kansas Association for Career and Technical Education, Kansas Council for Workforce Education and Kansas State Department of Education to unify career technical education/statewide workforce messages.

- Test the improved, robust data collection system;
- Identify industry-based, end-of-program assessments;
- Determine a methodology for calculating return on investment for technical education students and Kansas taxpayers;
- Develop a system and program review process to measure effectiveness;
- Analyze enrollment, placement, completion, and retention information; and
- Meet or exceed performance targets for the Perkins core indicators.

Enhancing Funding for Technical Education

- Develop Funding Model
 - Continue development of the tiered distribution model based on rates established by the Authority and recommended by the legislature;
 - Recommend the FY 2010 funding distribution plan; and
 - Recommend change in statutes to codify appropriations proviso language addressing funding.

Enhancing Legislation and Policy for System Growth

- Champion Technical Education Reform
 - Recommend initial legislative changes for the 2009 session; and
 - Identify and introduce policy and additional legislative revisions to improve technical education system.

Evaluating and Measuring System Effectiveness

- Develop Benchmarks and Accountability Standards

Statutory Requirement:

The Postsecondary Technical Education Authority shall:

(7) conduct continuous studies of ways to maximize the utilization of resources available for postsecondary technical education and make recommendations for improvement in the use of such resources to the state board of regents.

Response:

The Authority contracted with the Institute for Policy and Social Research at the University of Kansas to conduct a study of technical education funding to assist the Authority in collecting information regarding the funding processes for technical education in six selected states and making comparisons to Kansas. The final report was presented to the Authority at its November 2008 meeting.

One of the Authority's 2008-2009 Strategic Priorities is developing benchmarks and accountability standards, including determining a methodology for calculating return on investment for technical education students and Kansas taxpayers; developing a system and program review process to measure effectiveness; analyzing enrollment, placement, completion, and retention information; and meeting or

exceeding performance targets for the (federal) Perkins core indicators.

Statutory Requirement:

The Postsecondary Technical Education Authority shall:

(8) conduct studies to develop strategies and programs for meeting needs of business and industry and make recommendations relating thereto to the state board of regents.

Response:

The Authority contracted with the Center for Economic Development and Business Research at Wichita State University to determine workforce shortages in critical industry sectors on a regional basis and identify gaps between the demand and the production of qualified workers.

The beginning phase of the Program Standards and Alignment process includes both conducting research, to collect information regarding existing business and industry standards and credentials valued by Kansas employers, and establishing statewide business and industry committees to review the research and recommend the most appropriate industry-recognized standards and credentials for each program area.

Statutory Requirement:

The Postsecondary Technical Education Authority shall:

(9) make reports on the performance of its functions and duties together with any proposals and recommendations it may formulate with respect thereto to the state board of regents and the legislature.

Response:

The Authority reported the above items to the Legislative Educational Planning Committee

and the Technical Education Commission during the 2008 Interim Session.

Statutory Requirement:

The Postsecondary Technical Education Authority shall:

(10) coordinate the development of a seamless system for the delivery of technical education between the secondary-school level and the postsecondary-school level.

Response:

One of the Authority's 2008-2009 Strategic Priorities is aligning educational offerings within the state's technical education system. This will be done by aligning programs and curriculum using an Authority-approved program and curriculum framework recommending industry standards, credentials, and assessments to validate curriculum outcomes based on input from statewide business and industry committees; develop common core curriculum, prerequisites, and program lengths through statewide faculty curriculum committees; and developing and implementing programs of study connecting secondary and postsecondary education.

The development and implementation of programs of study, as outlined in the State Plan for Career and Technical Education, will necessitate continued collaboration and coordination of both secondary and postsecondary technical education programs to guide and assist students as they transition from one educational level to the next and into the Kansas workforce.

Statutory Requirement:

(b) Recommendations adopted by the authority pursuant to subsection (a) shall be submitted to the state board of regents. A recommendation of the authority shall be implemented by the state board unless the state board, by majority vote thereof, vetoes the recommendation within 45

days of the submission of the recommendation to the state board.

(c)(1) Subject to the provisions of paragraph (2), the state board of regents and the postsecondary technical education authority shall appoint a vice-president of workforce development who shall serve as the executive director of the postsecondary technical education authority. The vice-president for workforce development shall be in the unclassified service under the Kansas civil service act. Such person shall not be a member of the authority and shall serve at the pleasure of the state board of regents.

Response:

In January, the Authority hired a Vice President for Workforce Development; established an operational committee structure to address issues related to program alignment, finance, and marketing; and scheduled alternate meetings outside the Topeka area to better connect with local regions throughout Kansas.

Statutory Requirement:

(2) The state board of regents shall develop a procedure for the appointment of the vice-president of workforce development. Such procedure shall provide for the participation of the Kansas association of community college trustees and the Kansas association of technical schools and colleges, or the successor organizations thereof, in the selection of the vice-president of workforce development.

Response:

KBOR established a process which included a nation-wide search for acceptable candidates. Interviews were conducted during the fall of 2007. Authority members representing community colleges and technical colleges were part of the interview committee.

Statutory Requirement:

Sec. 3. Subject to the provisions of appropriation acts, the state board of regents shall provide staff, facilities and other assistance as may be requested by the postsecondary technical education authority.

Response:

Staffing needs were identified and additional personnel were hired to provide support to the Authority and manage work responsibilities and execute the Authority's strategic plan and priorities.

Statutory Requirement:

Sec. 4. The provisions of sections 1, 2 and 3, and amendments thereto, shall expire on June 30, 2014.

Sec. 5. (a) On or before July 1, 2008, the governing bodies of the northeast Kansas technical college, Kansas City area technical school, Kaw area technical school, Salina area technical school and southwest Kansas technical school shall submit to the state board of regents a plan to merge or affiliate with a postsecondary educational institution or become an accredited technical college with an independent governing board.

Response:

Preliminary plans for merger/affiliation or intent to seek independent technical college status were submitted to the Authority and KBOR by each institution in December 2007.

In April 2008, final plans were submitted and approved by the Authority and KBOR for the merger of Northeast Kansas Area Technical College and Highland Community College and the merger of Southwest Kansas Area Technical School and Seward Community College. Also, in April, the application to seek technical college status was submitted by Salina Area Technical

School and approved by the Authority and KBOR.

In May, the final plan for affiliation/merger submitted by Kaw Area Technical College and Washburn University was approved by the Authority and KBOR.

In June, the final plan was submitted and approved by the Authority and KBOR for the merger of Kansas City Kansas Area Technical School and Kansas City Kansas Community College. Also, in June, the final transition plan submitted by the Salina Area Technical School was approved.

The effective date for all merger/affiliation plans and the plan to transition to technical college status for Salina was July 1, 2008.

CONCLUSIONS AND RECOMMENDATIONS

The Commission discussed the concept of extending the work of the Commission for two years, which would require additional legislation. It was noted that while the work on the state's technical education system is far from complete, the Commission has completed its charge by bringing attention to the challenges of technical education and initiating the creation of the Postsecondary Technical Education Authority. With that in mind, the Commission does not recommend its extension.

The Commission noted that the Authority has made great strides in meeting the goals set out for it by the Commission and its enacting legislation by working toward certification of all technical education programs, equitable allocation of funding, incorporating adequate career guidance into the lower grades via the Kansas Career Pipeline, streamlining alignment of the needs of business and industry with what is being taught, and ensuring that completers of technical education programs throughout the State master a core set of skills. However, there

are more steps to be taken toward the goal of maximizing technical education in Kansas. The first is including P-20 initiatives for technical education in the hopes of capturing those students who would otherwise leave high school without any marketable skills. The second is enhancing awareness of the opportunities provided by technical education. The third is the development of long-term relationships with business and industry that address short-term and long-term needs on both sides.

In addition, the Commission recommends the implementation of the following statutory changes, provided by the Authority, in a manner that allows the Authority the greatest flexibility in achieving its statutory mandates:

(1) Proposed changes to codify proviso language and current practice:

- KSA 72-4482, enacted in 2007, delineates the delegated powers and duties of the Postsecondary Technical Education Authority which includes reviewing requests for state funding and making recommendations to KBOR regarding the amounts and distribution of these funds. The proposed amendment adds the specific verbiage from the 2007 appropriations bill proviso directing the Authority to develop and recommend a new funding structure for postsecondary technical education programs; and
- KSA 72-4430, 72-4431, 72-4433 are the statutes pertaining to postsecondary aid for technical education. The proposed changes are requested to codify proviso language and intent of the legislature, to reflect current practice for distribution of postsecondary aid and eliminate the wording requiring annual KBOR approval of tuition rates for coordinated institutions.

(2) Proposed changes to reflect current federal legislation:

- KSA 72-4408, 72-4411, 72-4412, 72-4413, 72-4414 and 72-4415 are statutes specific to the federal Carl D. Perkins legislation and the state plan required by this act. The proposed changes to these statutes are to reflect the name and terminology changes in the Carl D. Perkins Career and Technology Act of 2006.
- KSA 72-4427 pertains to participation in the federal Job Training Partnership Act which has expired. The proposed changes are to update this statute to reflect the current federal law (the Workforce Investment Act) and its public law number.

(3) Proposed changes to reflect current terminology:

- The proposed changes to KSA 72-4418, 72-4421, 72-4422, 72-4423, 72-4425, are to replace outdated verbiage (“vocational education”) with currently used terminology (“career technical education or career and technical education”) as appropriate.

(4) Proposed changes to remove wording or statutes no longer needed or obsolete :

- KSA 72-4416 specifies the process for establishing area vocational schools. Since all area vocational schools were required to merge or affiliate with an existing technical or community college or become an independent technical college, this statute is no longer needed. Repeal of this statute and elimination of the moratorium language in

subsections (b) and (c) of K.S.A. 72-4412 is recommended;

- KSA 72-4436, 72-4437, 72-4438, 72-4439, 72-4444, 72-4445, 72-4446, 72-4447, 72-4448, and 72-4449 are statutes that pertain to vocational education instructional equipment aid and the state pool of instructional equipment which no longer exist and the statutes are being recommended for repeal;
- KSA 72-4470 addresses the powers and duties of the governing bodies for technical colleges. This statute is being recommended for repeal because it is duplicative, in that all of these powers and duties are restated in KSA 72-4470a, and KSA 72-4470 is set to expire on June 30, 2009; and
- As part of the Higher Education Coordination Act, KSA 74-3205a, 74-3205b, and 74-3205c were set to expire on June 30, 2003, and, as such, are recommended for repeal.