

MINUTES

2010 COMMISSION

April 17, 2009
Room 535-N—Statehouse

Members Present

Rochelle Chronister, Chairperson
Dr. Ray Daniels, Vice-Chairperson
Representative Marti Crow
Carolyn Campbell
Dennis Jones
Emile McGill
Barbara Hinton

Members Absent

Senator Jean Kurtis Schodorf
Representative Clay Aurand
Stephen Iliff
Lee Urban

Staff Present

Martha Dorsey, Kansas Legislative Research Department
Jennifer Horchem, Kansas Legislative Research Department
Theresa Kiernan, Office of the Revisor of Statutes
Kristen Kellems, Office of the Revisor of Statutes
Florence Deeter, Committee Assistant

Others in Attendance

Dale Dennis, Kansas State Department of Education
Brenda Heafey, Legislative Division of Post Audit
Mark Desetti, Kansas National Education Association
Scott Frank, Legislative Division of Post Audit

Morning Session

The meeting of the 2010 Commission was called to order at 10:00 a.m. by Chairperson Chronister.

Legislative Activities and the Federal Stimulus

Dale Dennis, Deputy Commissioner of Education, Kansas State Department of Education, and Theresa Kiernan, Office of Revisor of Statutes, provided a summary of several education-related bills being considered by the 2009 Legislature (Attachment 1).

Mr. Dennis and Ms. Kiernan addressed SB 41, saying the bill is in conference committee and an agreement has been signed. The bill allows the state aid of a school district to be apportioned among the districts to which its territory is attached on the basis of assessed valuation.

Ms. Kierman indicated that SB 41 was amended to include personal financial literacy in the mathematics curriculum at all grade levels. The goal is to equip students with updated knowledge and skills for making decisions regarding the successful use of personal finances. An additional provision of the bill designates the State Board to develop guidelines in the curriculum for disability history and awareness at all grade levels.

Mr. Dennis commented on the importance of SB 84, which was agreed upon by the conference committee, but has not been approved by either the House or Senate. The bill would amend the current cash-basis law and create exceptions for school districts if expenditures exceed current revenues due to late payment of state aid. The bill also includes an alternative formula for calculation of the local option budget a school district may implement. A school district would be allowed to calculate its local option budget using a base state aid per pupil (BSAPP) of \$4,433 (the amount of BSAPP for the current school year) in any school year in which the BSAPP is less than that amount. The bill also would authorize a school district to calculate its local option budget using an amount equal to the amount appropriated for state aid for special education and related services in school year 2008-2009. (A school district may enact a local option budget up to a maximum of 31 percent of the district's state financial aid, which includes the BSAPP multiplied by a district's adjusted enrollment, and state aid for special education.)

Other bills summarized include SB 161, Sub. for HB 2008, HB 2072, HCR 5015, House Sub. for SB 98, SB 7, SB 40, and the original SB 41.

Mr. Dennis distributed a series of worksheets and charts to help visualize the changes occurring in the Supplemental General Fund Budget for the 2009-2010 school year (Attachment 2). He further explained the estimated money contained in the American Recovery and Reinvestment Act (ARRA) Program (Attachment 3). Two other worksheets provide information on the General State Aid and Special Education Services Aid funds (Attachments 4 and 5). Mr. Dennis said a cut of \$4.5 million for special education services has been made by the Legislature; however, the plan must be approved by federal law.

The amount of money estimated for qualified school construction bonds and qualified zone academy bonds under ARRA is shown in Attachment 6. Mr. Dennis said approval of school bonds purchased in the private sector allows a tax credit and eliminates the school from paying any interest. He indicated there are complications in the plan: (1) the total project must be included; (2) the "Davis-Bacon" pay scale is required for a worker; and (3) the school district must pay the interest if

the contract exceeds the amount of the bid. He noted that a low bid and higher wages cause additional problems.

Audit Report

Brenda Heafey, Legislative Division of Post Audit, reported on "Low-Priority Programs in Kansas," addressing the costs associated with operation of various programs (Attachment 7). As a point of information, she referred to the State Board of Education's FY 2009 Estimated Program Expenditures chart included in the report.

Ms. Heafey explained that the process used to prioritize purchases with state funds for programs and sub-programs centered on a "buy-first, buy-next, buy-last, and don't-buy" response (see pages 106 and 107). Included in the report is a letter of response from Dale Dennis, Deputy Commissioner of Education (page 111).

Merit Pay for Teachers

Jennifer Horchem, Kansas Legislative Research Department, presented information from seven states that have programs using merit pay (Attachment 8). Her report revealed that each state is unique in how merit pay and pay for performance of professional service is compensated. Ms. Horchem included in her report information on why some schools choose not to use a system of merit pay: (1) the difficulty of evaluating performance; (2) the creation of competition among teachers; and, (3) the tendency of teachers to assist individual students who excel, ignoring others who need services.

Theresa Kiernan submitted a memorandum containing information on the topic of merit pay considered in HB 2870. The bill has language amending the definition section of the Professional Negotiations Act, KSA 72-5413 (Attachment 9).

Mr. Dennis provided information on the number of schools in Kansas who are utilizing a four-day school week and indicated additional school districts are considering that option as a way to cut expenses and still maintain current programs. He said many teachers like the four-day concept; however, providing child care for younger students poses a problem for working parents. Included in his testimony is a Supplemental Report of the Salary and Benefits Subcommittee held in 2008 (Attachment 10). Mr. Dennis pointed out the recommendations made by the Subcommittee are outlined on page 35.

Mr. Dennis submitted data showing the national average salaries of public school teachers for school years 2006-2007 and 2007-2008 (Attachment 11). He said the statistics reveal that after 20 years of service, teacher salaries are \$40,000 behind the amount of earnings that can be accrued in the business sector.

Mr. Dennis commented on the appendix section (pages 40-44) of the Salary and Benefits Subcommittee Report, which gives information on various compensation systems for teachers. He noted for the Commission members that an Alternative Compensation Study Committee's report is included with additional pertinent information.

Mark Desetti, Kansas National Education Association (KNEA), provided an excerpt of the history of salary schedules, which began in Kansas in the 1920's. He noted the goals of Mr. F. L. Schlagle, a classroom teacher in Kansas City, Kansas (Attachment 12). Mr. Desetti said that any

alternative compensation plan needs to focus on collaboration and collective responsibility among teachers, not on the competition which merit pay promotes.

Mr. Desetti addressed the issues surrounding 2008 HB 2870 and the reasons KNEA opposed the bill (Attachment 13). He noted a number of reasons why the proposed bonus plan for math and science teachers would be counterproductive. Mr. Desetti stated that teachers often are left out of the decision-making process and that negotiations must be in place regarding salaries and bonuses. He reported the disjuncture between Kansas student achievement being in the top ten percent of every level of the curriculum and Kansas teacher remuneration being in the lower twenty percent nationally. Mr. Desetti said KNEA is not opposed to having bonuses, merit pay or career ladders; the agency is opposed to those programs when they are imposed on teachers rather than being developed collaboratively with teachers. He elaborated on two cities, Denver and Loveland, Colorado, whose citizens devised a program to successfully compensate professional educators.

A white paper report entitled, *Great Teachers for 21st Century Schools*, was distributed. Mr. Desetti encouraged each member to read KNEA's proposal for recruitment and retention of teachers in Kansas (Attachment 14).

Afternoon Session

Chairperson Chronister suggested meeting on May 28 and 29, 2009, to develop a final report of the 2010 Commission, although the Commission's authority does not expire until December 31, 2010. She commented that one of the purposes for establishing the Commission was to provide a basis of opinion for the court system, should circumstances warrant that. She suggested topics for the Commission's final report: at-risk issues, after school programs, all day kindergarten, early childhood programs, salaries, leadership, mentoring, and professional development.

Dr. Daniels suggested that data regarding English as a Second Language be considered for inclusion in a final report.

Representative Marti Crow spoke about past procedures of the Legislature to formulate an adequate system of funding for education, then diverting those funds to other projects. She said the pattern of holding the local option budget (LOB) to the same level and then cutting state funding per pupil often is the basis for bringing lawsuits because it exacerbates disequalization. Representative Crow indicated the LOB should be eliminated as was intended in 1992. She said inappropriate cuts made by the Legislature are almost a guarantee for intervention by the court system. Representative Crow spoke favorably of having an ongoing Commission to oversee the Legislature's actions.

Dr. Daniels concurred that keeping the 2010 Commission would provide guidelines for legislative action. He indicated that disbanding would cancel the Commission's oversight procedures necessary for any future court cases.

Ms. Emile McGill requested that the impact on Special Education be included for study and future reports. Chairperson Chronister said the special education funding mechanism has not been evaluated and suggested the topic could be pursued at the meeting scheduled for May 28 and 29, 2009.

Regarding the two-part audit of selected school districts entitled "K-12 Education: School District Efficiency Audits," Dennis Jones noted concerns from several school superintendents

regarding the requested audit. The Chairperson commented that even though it is an efficiency audit, it is considered a low-priority. When asked about federal reporting requirements related to the receipt of federal stimulus funds, Scott Frank, Legislative Post Audit, said it is unclear how much data is required to fulfill the federal requirement report. Regarding the efficiency audit, he said the second portion of the audit may be completed in July/August 2009. Chairperson Chronister requested that Mr. Frank assess the data collected to date for the efficiency audit and bring a summary describing the data to the Commission meeting in May. Chairperson Chronister indicated it is not the Commission's intention to create stress among the reporting districts.

Barbara Hinton said that in looking for efficiency, it is imperative for schools to consider looking for ways to accomplish goals with less money. She said that specific outcomes are required in accounting for the federal stimulus monies which will be spent. Ms. Hinton suggested the issue of health insurance plans offered in various school districts could be an area for a future audit.

Dr. Daniels said rather than pursuing individual school districts and asking for data, a statewide survey would be less intrusive and still provide the data needed for study and reporting.

By consensus, the Commission agreed to suspend the second portion of the audit entitled "K-12 Education: School District Efficiency Audits" (*i.e.*, in-depth investigation of selected school districts that are or are not doing selected activities efficiently). The second phase of the audit would be suspended at least until after the May 28-29 Commission meeting, when perhaps more would be known about what the federal government is going to require of the school districts, related to the receipt of federal stimulus funds.

The meeting was adjourned.

Prepared by Florence Deeter
Edited by Martha Dorsey

Approved by Commission on:

May 15, 2009

(Date)

2009 SUMMARY OF EDUCATION LEGISLATION

Bonds

SB 35 would make substantive revisions and technical corrections regarding bonds issued by local units of government.

Interest Rates on Bonds Issued by Local Governments

The bill would increase temporarily the caps on interest rates that are placed upon bonds issued by municipalities and other local taxing subdivisions of the state. Currently, statutes prohibit the interest rate on bonds issued by a municipality or a local taxing subdivision from exceeding the daily yield for ten-year treasury bonds, plus 3.0 percent if the interest is not taxable or 4.0 percent if it is taxable. The bill would increase the caps from the Act's publication date in the *Kansas Register* until June 30, 2010, to be the daily yield for ten-year treasury bonds, plus 5.0 percent if the interest is not taxable; or 6.0 percent if the interest is taxable.

STAR Bond Clarifications

The bill would make technical corrections and clarifications regarding the usage of Sales Tax and Revenue (STAR) bonds. Since STAR bonds utilize funding from sales tax instead of property taxes, the bill also would repeal the requirement that the county appraiser annually certify the increase in assessed value of real and personal property in the STAR bond district to the county clerk. The bill would clarify that the Secretary of Commerce is to set a limit on the total amount of bonds issued by a city or county when the funding comes from the incremental revenue received from any state sales tax. Currently, the law refers to the setting of such a limit only when a county pledges 100.0 percent of the incremental revenue from a county sales tax.

Investments

SB 39 amends a statute governing the investment of public moneys by certain counties and municipalities to allow school districts the same expanded investment authority currently allowed for cities and counties. Expanded investment authority would allow investments in United States government and agency securities, interest-bearing time deposits, and repurchase agreements with maximum maturities of four years.

The bill further provides that, in approving the investment policy of any city, county or school district, the Pooled Money Investment Board (PMIB) must require that the policy addresses liquidity, diversification, safety of principal, yield, maturity, and quality and capability of investment management staff. In addition, the bill states, the policy is to provide procedures for compliance with KSA 12-1675c (a requirement that municipalities must first offer their idle funds to local financial institutions) and a certification from the investment management staff that those procedures have been followed.

The bill also creates a second condition for the approval of the investment policy for the PMIB.

The investment policy would be required to contain a certification from the investment management staff that those procedures (compliance with KSA 12-1675c as outlined above) have been followed, and a listing of the banks, savings and loan associations, and savings banks from which the city, county, or school district requested bids in the preceding year.

(Without the expanded investment authority, cities and counties are permitted to invest only in temporary notes or no fund warrants, time deposits, open accounts, certificates of deposit (CDs), repurchase agreements and US Treasury Bills or Notes with maximum maturities of two years. Expanded investment authority is currently allowed only if the municipality or county has a written investment policy that is approved annually by the PMIB.)

Personal Financial Literacy and Disability Awareness (Conference Committee)

SB 41 amends state law dealing with school district consolidation and disorganization. In situations where a school district disorganizes and the territory of the disorganized districts attached to more than one district, the state financial aid of the disorganized district is allocated to the districts to which the territory of the former district is attached. The state financial aid would be allocated on the same proportional basis that the assessed valuation of the territory attached to each district bears to the assessed valuation of the entire disorganized district.

The bill requires the State Board of Education to designate a period of time each school year as a time for disability history and awareness. The State Board will develop objectives and guidelines for disability history and awareness, for all grade levels, within existing curriculum. The bill lists a variety of goals of disability history and awareness instruction, including encouraging better treatment of individuals with disabilities. The bill requires each school district to include disability history and awareness with the district's curriculum, as deemed appropriate by the district. The bill also encourages postsecondary educational institutions to conduct and promote activities that provide education, understanding and awareness of individuals with disabilities, disability history and the disability rights movement.

The bill requires the State Board of Education to develop state curriculum standards for personal financial literacy for all grade levels within the existing mathematics or other appropriate subject matter curriculum. The bill also requires the State Board to encourage school districts, when selecting textbooks for mathematics, economics, family and consumer science, accounting, or other appropriate courses, to select textbooks containing substantive provisions on personal finance. In addition, the bill requires the State Board of Education to include questions relating to personal financial literacy in the statewide assessments for mathematics or social studies when the statewide assessments for mathematics or social studies are reviewed or rewritten. The State Board is required to examine the questions relating to personal financial literacy and rewrite such questions in order to determine if programs on personal financial literacy are equipping students with the knowledge and skills needed to become self-supporting and to enable students to make critical decisions regarding personal finances. The bill also repeals KSA 72-67,106; 72-8149; 72-8155; 72-8155a; 72-8155b; and 72-8155c which authorized several school district transfers and fund transfers between 1965 and 1980.

Grandfathering Base State Aid Per Pupil for Local Option Budget Purposes (Conference Committee)

SB 84 would amend the current cash-basis law to create an exception for school districts when expenditures exceed current revenues due to the late payment of general or supplemental general state aid. The bill would allow the state to make the balance of its fiscal year 2008-2009 state aid payments to a school district after June 30 without the school districts violating current cash-basis law. Under current law, school districts would be out of compliance with the state's cash-basis law, requiring financial reports to note the violation. The provision does not identify a school year in which it would sunset, allowing it to be on-going in nature.

SB 84 also would provide an alternative formula for the calculation of the local option budget of a school district. The bill would authorize a school district to calculate its local option budget using a base state aid per pupil (BSAPP) of \$4,433 (the amount of BSAPP for the current school year) in any school year in which the BSAPP is less than that amount. The bill also would authorize a school district to calculate its local option budget using an amount equal to the amount appropriated for state aid for special education and related services in school year 2008-2009. (A school district may enact a local option budget up to a maximum of 31 percent of the district's state financial aid, which includes the BSAPP multiplied by a district's adjusted enrollment, and state aid for special education.)

Recreation Commission Petty Cash and School District Contingency Reserve Fund

SB 161 amends current law to permit recreation commissions to establish petty cash funds. The amount of money in a petty cash fund would not exceed \$1,000 at any one time.

The bill also limits to 10.0 percent the balance maintained in a school district's contingency reserve fund until school year 2012-2013, when the amount returns to current law, which requires that the amount in a district's contingency reserve fund cannot exceed 6.0 percent of a district's general fund. However, the provisions of SB 161 will not be imposed on any school district whose state financial aid is computed under current law (KSA 72-6445a) related to districts formed by consolidation or disorganization or districts with decreasing enrollments. Any such district may maintain the excess amount in the contingency fund until the amount in the fund is depleted.

Community Foundations

SB 175 allows local boards of education to transfer funds to a community foundation. Funds would be required to be deposited into a restricted fund and would remain subject to any restrictions imposed by the original donor. Monies distributed from the fund would be required to be made for the benefit of the school district or for a specific purpose as directed by the original donor.

Schools for the Deaf and Blind

SB 290 amends the professional contract negotiations law to include the Kansas State School for the Blind (KSSB) and the Kansas School for the Deaf (KSSD). The professional contract negotiations law governs how school boards in local districts negotiate contracts with teachers. Under current law, teachers for the KSSB and the KSSD are not part of this law.

Atchison School District and the former Atchison Juvenile Correctional Facility

HB 2001 allows a student in the custody of the Secretary of Social and Rehabilitation Services or the Commissioner of the Juvenile Justice Authority and who is enrolled in the Atchison School District (USD 409) to be counted as two pupils. The affected students would have to be housed and receiving educational services at the youth residential center located on the grounds of the former Atchison Juvenile Correctional Facility for the district to qualify at the higher rate.

In school year 2009-2010, the bill authorizes a student enrollment of two times the licensed capacity of the youth residential center; for school years thereafter, student enrollment would be two times the actual number of students at the center.

Second Count Date for Military Students

HB 2002 allows a school district to recompute its general fund budget based on a second count of military students on February 20. To be eligible for a second count, a school district is required to have at least 25 military pupils or military students equal to one percent or more of the district's enrollment on February 20 who were not enrolled on September 20. Districts eligible for the second count then add the number of additional military students enrolled on February 20 to the September 20 student count to determine a district's general fund budget.

Career and Technical Education

HB 2003 makes a variety of technical amendments to statutes governing postsecondary technical education. Specifically, the bill would codify provisions that have been included in appropriations bills *provisos* regarding development of a funding model for postsecondary technical education, update references to federal law, and replace outdated or unnecessary terminology.

Epinephrine Administration in Schools

Sub. for HB 2008 authorizes any person to administer epinephrine in emergency situations to a student or a member of a school staff when: (1) the person administering the epinephrine reasonably believes that the student or staff member is exhibiting the signs and symptoms of an anaphylactic reaction; (2) a physician has authorized, in writing, the school to maintain a stock supply of epinephrine; and (3) the epinephrine is administered at school, on school property or at a school-sponsored event. The bill exempts from liability for civil damages and exempt from the

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practice of the healing arts any person who gratuitously and in good faith renders emergency care or treatment through the administration of epinephrine to a student or a member of a school staff at school, on school property or at a school-sponsored event if the person acts as an ordinary and reasonably prudent person would have acted under the same or similar circumstances.

In addition, the bill authorizes any accredited school to maintain an epinephrine kit, if the school chooses to do so. An epinephrine kit may consist of one or more doses of epinephrine. Epinephrine from an epinephrine kit shall be used only in emergency situations when the person administering the epinephrine reasonably believes that the signs and symptoms of an anaphylactic reaction are occurring and if administered at school, on school property or at a school-sponsored event. A school would not maintain an epinephrine kit unless the school has consulted with a pharmacist licensed by the State Board of Pharmacy. The consultant pharmacist would have supervisory responsibility of maintaining the epinephrine kit and be responsible for developing procedures, proper control and accountability for the epinephrine kit. The bill further states that the State Board of Pharmacy may adopt any rules and regulations as necessary regarding the maintenance of epinephrine kits.

Retirement Issues

(Conference Committee)

HB 2072 would make amendments to retirement statutes for the Kansas Police and Firemen's (KP&F) Retirement System and the Kansas Public Employees Retirement System (KPERS).

First, the bill would remove the current statutory earnings limitation of \$10,000 for members of the KP&F Retirement System who are assigned to Tier II and qualify for disability benefits, but who are able to work part-time at a nonpublic safety job while drawing KP&F disability payments.

Second, the bill would clarify that current law pertaining to retirees of KPERS who return to work after retirement as contracted employees will be subjected to the same state policies as other KPERS retirees who return to work as individuals. The bill would require the third-party companies to provide information about the salaries of its contract employees in order for KPERS and participating employers to apply current law regarding salary caps and employer actuarially-assessed contributions.

Dyslexia

HCR 5015 directs the State Board of Education to take certain actions in relation to children with reading problems, including dyslexia. The resolution directs the State Board to do the following:

- Endeavor to ensure that early screening or testing would identify children with a reading disability, including dyslexia;
- Endeavor to review partnerships with early childhood educators so that reading diagnostic assessments would be used in pre-kindergarten through second grade;
- Endeavor to review the level and pace of implementation of best practices of instruction,

- including but not limited to, the multi-tier system of support;
- Endeavor to review teacher preparation courses to ensure that knowledge of best practices of instruction, including but not limited to, the multi-tier system of support and scientifically-based reading instructional components are used to instruct children with disabilities and dyslexia;
 - Endeavor to ensure that parents have easy access to information, including contact information for school district, school, and Department of Education officials; and
 - Submit a report of the activities of the State Board in relation to this resolution to the Legislature on or before December 31, 2009.

SUPPLEMENTAL GENERAL FUND BUDGET
2009-2010 SCHOOL YEAR
(2009 Senate Bill 84)

1. Estimated Supplemental General Fund Base
\$4,433 BSAPP times weighted enrollment
(excluding special education)

2. PLUS 2008-09 Special Education State Aid

3. TOTAL (Line 1 + Line 2)

4. Maximum Supplemental General Fund Percentage

_____ %

5. Estimated Supplemental General Fund Budget

ARRA Money for Kansas

Program	Estimated 2009-2010	Estimated 2010-2011
State Fiscal Stabilization Fund	\$138,700,000	\$138,700,000
Title I Grants to LEAs	\$34,510,000	\$34,510,000
Title I School Improvement Grants	\$11,244,000	\$11,244,000
Special Education – Part B Grants	\$53,436,000	\$53,436,000
Special Education – Early Childhood	\$2,248,000	\$2,248,000
Title II, Part D – Enhancing Technology	\$4,532,000	
Education for Homeless	\$364,000	
School Lunch Equipment	\$850,000	
AmeriCorps	\$271,000	
Title I Part D Subpart 2 Juvenile Detention	\$762,000	\$762,000

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Attachment 3



\$ 246,917,000

489,817,000



240,900,000

GENERAL/SPECIAL EDUCATION FUNDS
2009-2010 SCHOOL YEAR

General Fund

General State Aid:

State General Fund	\$ 2,001,654,934
ARRA – State Fiscal Stabilization Funds	138,700,000
TOTAL	\$ 2,140,354,934
BSAPP Amount	\$ 4,367

Special Education

Special Education Services Aid:

State General Fund	\$ 369,788,360
ARRA – Federal VIB	53,500,000
TOTAL	\$ 423,288,630

ESTIMATED
SPECIAL EDUCATION
2009-2010 SCHOOL YEAR

State Special Education Aid Per Teacher	\$	24,500
Medicaid (Average Teacher Amount)*		500
 TOTAL	 \$	 25,000
 Federal Stimulus Aid (Average Teacher Amount)	 \$	 4,000
 Average total per Teacher Amount	 \$	 29,000

*Distributed on a per student basis.

ARRA Money for Kansas

Program	Estimated 2009-2010	Estimated 2010-2011
Qualified School Construction Bonds*	\$79,589,000	\$79,589,000
Qualified Zone Academy Bonds*	\$10,508,000	\$10,508,000

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Attachment 6

The Qualified School Construction Bond Program is a new tax credit program created by the American Recovery and Reinvestment Act (ARRA) and provides tax credits, in lieu of interest, to lenders who issue bonds to eligible school districts.

The Qualified Zone Academy Bond (QZAB) program allows school districts with low-income populations to save on interest costs associated with financing school renovations. The federal government covers all of the interest in the form of tax credits on these bonds.

*These are total amounts statewide which schools could issue in lease/purchase and on new construction projects. The savings to the school would be the interest they would not have to pay for these projects.



Low-Priority Programs in Kansas: Identifying Them and the Costs Associated With Operating Them

Governments establish and fund programs to address perceived public needs that exist at a particular point in time. Once a program is established, it tends to be funded incrementally from year to year, without questioning whether it is critical to achieving an agency's core mission or purpose, whether the program is achieving the goals the agency established for it, and whether it has outlived its original purpose.

When revenues decline during economic downturns, existing programs typically are trimmed back, but aren't necessarily looked at for potential elimination. Legislative interest has been expressed in reviewing agencies' State-funded programs to determine which ones are most critical to protecting the health, safety, and welfare of the public and accomplishing agency missions, and which ones may be less critical or may no longer contribute to the core missions of the agencies that operate them.

This performance audit answers the following question:

Which programs in State government are low-priority programs, and what are the costs associated with them?

To answer this question, we identified agencies that each spent more than \$4 million annually in State dollars—from the State General Fund or from four other State funds that can be used to finance general State expenditures. We developed a uniform data-collection document and asked officials from each selected agency to identify, describe, and provide certain expenditure and demographic information about the various State-funded programs or subprograms they operate. Also, we asked officials to prioritize those programs by indicating which ones they would “buy first, buy next, and buy last” if State moneys available to fund those programs were limited.

Within the “buy last” category, we also asked agencies to identify any programs they would recommend not funding, even if moneys were available in the future. Finally, we conducted supplemental analyses looking at the costs the State incurs in the Medicaid Program by providing optional services to optional populations, and in the Special Education Program by providing non-mandatory services for gifted students.

A copy of the scope statement for this audit approved by the Legislative Post Audit Committee is included in *Appendix A*. For reporting purposes, we've modified the question somewhat.

We conducted this performance audit in accordance with generally accepted government auditing standards, with certain exceptions. The standards require that we plan and perform the audit to obtain sufficient and appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. Because this was essentially an audit that asked numerous agencies to inventory, describe, and prioritize the many programs and subprograms they operate, we had to rely in large part on the self-reported information they provided. We did limited reliability testing of some of the information agencies reported. Those tests included comparing the actual 2008 and estimated 2009 aggregate State expenditures agencies reported to the numbers shown in the Governor's Budget Report for Fiscal Year 2010, checking statutory citations for a sample of agency programs, checking the math for all the dollar figures agencies reported, and, at a high level, comparing program information compiled by the Legislative Research Department with the programs agencies had reported to us. We also discussed with agency officials anything they had submitted on their data-collection document that appeared to us to be a potential reporting problem.

We didn't test the other data agencies self-reported, such as program and subprogram-level expenditures, the amounts of federal funding listed for each program, agencies' assertions about whether or how much federal funding would be lost if State funding for certain programs or subprograms were eliminated, or whether certain items had already been included in their reduced-resource budgets. Regarding the latter issue, the Legislature will need to obtain additional information from agency officials before any policy decisions are made.

Although the steps we took can't provide absolute assurance that the information agencies reported is accurate, we think they were sufficient to provide a reasonable level of assurance that this information isn't grossly inaccurate or incomplete, and that it provides a reasonable basis for any findings and conclusions contained in this report. Still, the reader should consider the limitations of the testwork we were able to do in reviewing the information provided.

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Question 1: Which Programs in State Government Are Low-Priority Programs, and What Are the Costs Associated With Them?

ANSWER IN BRIEF: *To help identify programs that have the lowest priority in relation to State agencies' core missions and objectives, we asked agencies to identify and prioritize their programs and subprograms that receive at least some State funding into "buy first, buy next, buy last, or don't buy" categories. Agencies were asked to put about 80% of their State program funding in the "buy first" category, and about 10% each in the "buy next" and "buy last" categories. This approach was intended to give agency officials and legislators a different look at State spending—if State funding is reduced, could some whole programs or subprograms be eliminated, rather than reducing staffing or service levels but leaving those programs intact?*

Agencies placed programs, subprograms, and some activities accounting for about \$500 million in State spending into the "buy last" category. Those included such diverse programs and subprograms as correctional facilities or other program sites, substantial highway maintenance projects, and provider rates or grants for various services. Many agency officials cautioned that the programs and subprograms they put into the "buy last" category were critical to their missions or to the people of Kansas, but that they had placed them there to fulfill the audit instructions. Agencies reported that the costs for some of these programs and subprograms have been reduced in their fiscal year 2009 or 2010 budgets.

Several agencies also put about \$23 million in State spending for programs or subprograms into the "don't buy" category. Those included closing a juvenile correctional facility, eliminating payment inefficiencies from the Medicaid Program, and eliminating the funeral assistance program. Agencies reported they already had cut essentially all these costs in their fiscal year 2009 or 2010 budgets.

This Audit Gives Legislators a Different Way of Looking at State Agency Expenditures

The Legislative Post Audit Committee approved this audit on November 18, 2008. In deciding how to answer the audit question and still have information ready for use during the 2009 legislative session, we had two choices: conduct an in-depth review of all programs in a few State agencies, or ask a large number of agencies to compile summary information about and prioritize their own programs and subprograms.

While the first approach would have allowed us to draw conclusions and make recommendations about the priority level and need for those programs, it would have provided limited usefulness during this legislative session because of its more narrow focus. As a result, with the approval of the Legislative Post Audit Committee, we chose the second approach.

That approach will give legislators a different way of looking at a number of State agencies' expenditures. When faced with having to reduce spending, agency officials and policymakers often look at such actions as hiring freezes or across-the-board reductions in agency budgets. In recent years, however, several states have begun to look more closely at the programs and services government offers in an attempt to prioritize government spending.

For example, the state of Washington started prioritizing its governmental activities in 2002 in response to revenue shortfalls that followed the terrorist attacks on 9/11. Under a results-based framework called "Priorities of Government," executive-branch leaders and agency experts worked together to establish a process for focusing on statewide outcomes as the criteria for government spending, rather than on incremental increases of expenditures in individual agencies. In general, that process involves the following:

- A group of Washington government officials, with input from business leaders and others, came to a consensus on a list of expected statewide results that citizens expect from government spending. This list included 10 key results. During each biennial budget cycle, each of the 10 key result areas is assigned to a team consisting of knowledgeable experts from various agencies. Teams are led by representatives from the Governor's budget or policy offices.
- Each team prioritizes all state agency activities within its assigned result area—including both administrative and programmatic activities—into four categories:
 - **Highest-priority activities:** activities considered by the team to be the most important in terms of maximizing results (90% of the agency's total state allocation can go into this category)
 - **Lower-priority activities:** those things the team would buy with the remaining 10% of their total state allocation
 - **Buy-next activities:** those activities the team would buy if more money were available
 - **Don't-buy activities:** those things the team would not buy, even if more money were available
- Along with the list of prioritized activities, each team prepares a one-page discussion about the strategic choices that define the team's general purchase plan. This information is shared with state and local government leaders and officials in the private and non-profit sectors for comments and feedback, and a report is prepared and submitted to the Governor for consideration during the budget process.

Washington's Priorities-of-Government process isn't the final step in determining what that state's budget will look like, but it does provide a different perspective on agency spending that can be used during the budget and appropriations processes. When combined with other information and policy considerations, such approaches can be useful to state policymakers who have to decide where spending reductions can be made with the least amount of harm to the state's citizens.

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The approach we used for this audit was a modified version of the approach Washington uses as part of its Priorities-of-Government process. For this exercise, we asked agencies to prioritize their programs and subprograms into the categories listed below. We told them to put programs encompassing about 10% of their State funding in the “buy last” category as though they only had 90% of their State funding available.

- **Buy first:** those they would “buy” with the first 80% of the State program funds available to them
- **Buy next:** those they would “buy” with the remaining 10% of the State program funds available to them
- **Buy last:** those they would “buy” when additional State funds became available (beyond the 90% level we assumed for this exercise). Within the “buy next and last” categories, we asked agencies to rank their priorities from most important to least important to meeting their core mission and goals. Within this last category we also asked agencies to identify those programs or subprograms they would not buy even if additional State funds became available, thus resulting in a fourth category “**Don’t Buy.**”

Because of time constraints and a lack of centralized information about agency programs and subprograms, we focused on agencies that spent at least \$4 million in State dollars in fiscal year 2008 from any of the following sources: State General Fund, Children’s Initiatives Fund, Economic Development Initiatives Fund, State Highway Fund, and State Water Plan Fund. As described in the box below 57 State entities initially fell into this category; a number of them subsequently were excluded from this review.

**Agencies Were Included in This Audit Based on
The State Dollars They Spent During Fiscal Year 2008**

We couldn’t include all State agencies in this review. We initially identified 57 State entities—including the Legislature and the Judicial Branch—that each spent at least \$4 million in State dollars in fiscal year 2008 from any of the following sources: State General Fund, Children’s Initiatives Fund, Economic Development Initiatives Fund, State Highway Fund, and State Water Plan Fund. We excluded several agencies or branches of government from this report for the following reasons:

- **The Kansas Public Employees Retirement System (KPERs)**, because its only program is providing retirement and disability benefits for public employees.
- **The Board of Indigents Defense Services**, because its only function is to provide criminal defense for indigent people charged with a crime, as required by the U.S. Constitution.
- **The Legislature**, because under government auditing standards we are not considered to be independent if we audit the branch of government we are assigned to.
- **The Regents’ institutions**, because we currently are conducting a series of audits of the universities that will focus on efficiency issues—including reviewing low-priority programs. The Board of Regents was included in this report, but we allowed it to exclude over \$160 million in State moneys that essentially are distributed to community colleges, technical schools and colleges, Washburn University, and state universities for specific enhancements.

That left the Children’s Cabinet, the Judicial Branch, and 45 State agencies covered by this audit. The Department of Social and Rehabilitation Services, the Juvenile Justice Authority, and the Department of Corrections included information about the institutions they oversee, in addition to their own operations.

In their responses to our data request, we asked the 47 entities that were part of our review to do the following:

- **Exclude any of their central administrative functions** such as accounting and budgeting, human resources, legal services, and information technology. The focus of the audit was on low-priority programs, not on all agency spending.
- **Include only those programs or subprograms funded with at least some State dollars.** That excluded any programs funded solely with federal dollars or fee funds.
- **Include only those programs or subprograms included in their fiscal year 2009 revised budget estimates** (as submitted to the Division of the Budget).
- **Indicate whether any or all of the expenditures for each program or subprogram had been included in the agency's plan for reducing costs in either fiscal year 2009 or 2010.** Because the Governor's budget recommendations hadn't been released when we requested these data, we didn't ask agencies to indicate the dollar amount.
- **Rank order the programs and subprograms they listed within the "buy next" and "buy last" categories from most important to least important.**
- **Provide the statutory basis for each program or subprogram.**
- **Ignore any statutory requirements or political considerations,** to the extent possible.

A copy of the data elements we asked entities to provide and the instructions we gave them for completing our data collection document is provided in *Appendix B*.

Agencies Varied in the Ways They Provided the Information Requested In Our Data Collection Document

Within Kansas government, some agencies provide services through multiple programs and subprograms, while others may have a very limited number of programs, or may provide services through a single program in different locations, facilities, or projects across the State.

For this audit, we allowed agency officials to break their programs down into subprograms or major programmatic components. That gave some agencies with very few programs or a single large program much greater flexibility in coming up with the 80% of their State spending that was the highest priority.

Still, this was not an easy exercise for most agencies. And because of time constraints they had a relatively short timeframe to complete the data collection document we sent them—about two weeks. Most agencies clearly put a lot of effort into trying to prioritize their programs and subprograms as we had asked.

Some of the issues we noted in reviewing the information they reported to us that the reader should be aware of:

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- **Several agencies didn't prioritize their programs or subprograms** into the four "buy" categories, or didn't allocate them into our 80% of State program funding, 10%, and 10% breakdown. [For two of those agencies—the Department of Administration and the Governor's Office—we directed officials to list their programs but not to prioritize them. That's because these programs—such as the Public Broadcasting Council housed within the Department of Administration—didn't appear to be related to the agencies' core functions, and appeared to have been placed there for lack of another place to put them.]
- **Some agencies included some of their central administrative functions and costs** in the data they submitted, or provided information for programs that had \$0 State spending budgeted in fiscal year 2009. We talked with agency officials about such items, and removed many of them for the sake of clarity and consistency.
- **For some agencies, their "programs and subprograms" translated into locations, facilities, or projects.** Examples include the correctional facilities, KDOT, the Historical Society, and the Department of Wildlife and Parks. In attempting to prioritize these into the "buy next" or "buy last" categories, those agencies took a variety of approaches, ranging from not prioritizing them, to considering those projects that affected federal funding the least, to closing down facilities in certain locations.

Most agencies expressed significant concerns about prioritizing their programs and subprograms in the manner called for in the audit. We spent a considerable amount of time during the audit talking with agency officials and getting their feedback about our proposed audit methodology.

While many agency officials indicated they understood the interest in looking at program priorities—especially given the fiscal crisis the State is facing—they also expressed concerns about the difficulties they faced in trying to prioritize their programs and subprograms.

In letters they submitted to us, many agency officials indicated that asking them to prioritize their programs and subprograms the way we did was not the way they prepared their budgets or considered their priorities. Some of the concerns they expressed can be summarized as follows:

- **Many agencies said they considered the programs they listed in the "buy next or last" categories still to be critical or essential to their core missions, but had included them there only because they were trying to fulfill our instructions.** This was especially true for agencies that had very few programs or that had one program that consumed 80% or more of the agency's State spending, requiring them to place all other programs in the lower categories. Officials indicated they had included many programs in the last two categories only because they were trying to fulfill our instructions that they categorize programs into the 80%, 10%, 10% format.

- **Many agency officials indicated they would prefer to modify or reduce program expenditures rather than eliminate whole programs or subprograms altogether.** Examples of these types of program reductions include limiting the number or type of people who were eligible to receive certain services, or holding vacant employee positions open. Many thought this more common budgetary approach allowed them to reduce their costs without reducing essential services.
- **Some agency officials cited cost-benefit issues.** They said that eliminating some of the programs and subprograms they had prioritized into the “buy next or last” categories could have adverse impacts on citizens or the State, or could impact the demand for other programs, which could result in higher State costs in the future. For example, KDOT noted that reducing highway maintenance could save money over the short run, but ultimately may result in higher expenditures to reconstruct deteriorated highways.
- **Agency officials reported that, in some cases, eliminating programs and subprograms would result in the loss of federal dollars.** Often, eliminating a program or subprogram would mean eliminating both the costs and the funding associated with that program. However, a few agencies pointed out that they use spending for some programs as a match for other federal funding they receive, or that they are able to use local funding as part of a “soft match” for federal matching requirements.
- **Some agency officials told us they thought it was the Legislature’s responsibility to establish program priorities.**

Finally, even though many agency officials said they wouldn’t do things this way, some said the exercise served as a useful tool in helping them consider actions they may need to take if additional budget reductions are necessary for fiscal years 2009 and 2010.

Agency Programs and Subprograms in the “Buy Last or Don’t Buy” Categories Would Represent About \$523 Million in Estimated State Spending for Fiscal Year 2009

The programs and subprograms that agencies prioritized into the four “buy” categories—together with the revised estimated expenditures associated with them for fiscal year 2009, are shown in the tables that begin on page 16.

We’ve also summarized any comments the agencies provided in the tables they submitted to us, and included any letters they sent us with those tables.

Figure 1-1, starting on page 10, summarizes the estimated expenditure information for those four categories, by agency (SRS, the Juvenile Justice Authority, and the Department of Corrections provided information about the institutions they oversee.) As the figure shows, agencies reported about \$500 million in the “buy last” category, and nearly \$23 million in the “don’t buy” category.

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Examples of the major types of programs, subprograms, or cost areas agencies prioritized into the “buy last” category (if the last 10% of their State program funds became available) are summarized in *Figure 1-2* on page 12.

An important point related to this figure: as noted earlier, many agency officials told us they had placed programs in this category only to fulfill our instructions related to the “buy last” category. In some cases, officials said they thought these programs were just as important to their missions as the programs they had prioritized under the other two categories.

Also, for \$11.5 million of the \$500 million in State program costs agencies had included in the “buy last” category, officials reported they had included all of these costs in their reduced-resource proposals for fiscal years 2009 or 2010 budgets (this information is shown in the detailed agency tables).

In addition, for \$77.4 million in State program funds, agencies indicated they had included part of those costs in their reduced-resource proposals for fiscal years 2009 or 2010 budgets. Because of time constraints, we didn’t ask agencies to report those specific amounts.

Most of the \$23 million in programs or subprograms agencies listed in the “don’t buy” category generally already are slated to be cut or reduced in fiscal years 2009 or 2010. These included the following:

- The Health Policy Authority reported \$17 million in State spending in this category. The Authority indicated these cuts represented payment inefficiencies in Medicaid services, and had already recommended them for elimination from its fiscal year 2010 budget.
- The Juvenile Justice Authority reported \$3.1 million in State spending in this category. The entire amount reflects the Authority’s recent closure of the Atchison Juvenile Correctional Facility.
- SRS reported \$2 million in State spending in this category. These cuts include \$810,000 in State funds related to the funeral assistance program, and \$1.1 million in State funds related to the adoption contract. SRS officials indicated both items are included in the Governor’s budget recommendations to be eliminated in fiscal year 2010.

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Figure 1 - 1
State Programs and Subprograms Prioritized by the Agencies
Revised Estimated Expenditures for Fiscal Year 2009

Agency/ Branch	Buy Now		Buy Next		Buy Last		Don't Buy		Not Prioritized		Total	
	State funds	Total Funds	State funds	Total Funds	State funds	Total Funds	State funds	Total Funds	State funds	Total Funds	State funds	Total Funds
General Government Agencies												
Dept of Admin.	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$3,137,236	\$4,379,662	\$3,137,236	\$4,379,662
									100%		100%	
Dept of Commerce (c)	\$13,347,762	\$14,212,937	\$1,722,869	\$3,591,424	\$1,568,440	\$1,950,140	\$154,000	\$154,500	\$6,025,000	\$6,025,000	\$22,818,071	\$25,934,001
	58.5%		7.6%		6.9%		0.7%		26.4%		100%	
KTEC	\$8,317,937	\$10,331,106	\$907,527	\$907,527	\$1,068,241	\$1,068,241	\$0	\$0	\$0	\$0	\$10,293,705	\$12,306,874
	80.8%		8.8%		10.4%						100%	
Dept of Revenue	\$39,731,122	\$53,826,703	\$2,798,536	\$3,130,947	\$3,232,589	\$3,650,663	\$0	\$0	\$0	\$0	\$45,762,247	\$60,608,313
	86.8%		6.1%		7.1%						100%	
Governor	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5,939,674	\$10,260,841	\$5,939,674	\$10,260,841
											100%	
Attorney General	\$4,241,500	\$4,311,500	\$475,000	\$475,000	\$550,000	\$550,000	\$0	\$0	\$0	\$0	\$5,266,500	\$5,336,500
	80.5%		9.0%		10.40%						100%	
Judicial Branch	\$109,294,252	\$111,371,200	\$121,244	\$840,207	\$0 (a)	\$0 (a)	\$0	\$0	\$0	\$0	\$109,415,496	\$112,211,407
	99.9%		0.1%								100%	
Human Services Agencies												
SRS	\$609,729,639	\$1,280,450,917	\$73,187,947	\$160,942,316	\$72,705,678	\$79,285,614	\$1,954,292	\$3,564,836	\$0	\$0	\$757,577,556	\$1,524,243,683
	80.5%		9.7%		9.6%		0.3%				100%	
Children's Cabinet	\$19,543,279	\$19,543,279	\$500,000	\$500,000	\$0	\$0	\$0	\$0	\$0	\$0	\$20,043,279	\$20,043,279
	97.5%		2.5%								100%	\$0
KS Health Pol. Auth.	\$413,952,744	\$1,131,477,348	\$48,994,497	\$132,866,584	\$31,934,497	\$100,266,584	\$17,060,000	\$32,600,000	\$0	\$0	\$511,941,738	\$1,397,210,516
	80.9%		9.6%		6.2%		3.3%				100%	
Dept on Aging	\$154,970,095	\$410,723,799	\$31,890,497	\$79,140,607	\$6,909,831	\$8,880,066	\$0	\$0	\$0	\$0	\$193,770,423	\$498,744,472
	80%		16.5%		3.6%		0%				100%	
KDHE	\$37,588,553	\$126,841,499	\$2,772,848	\$2,772,848	\$1,717,624	\$2,147,228	\$700,000	\$700,000	\$0	\$0	\$42,779,025	\$132,461,575
	87.9%		6.5%		4.0%		1.6%				100%	
Comm on Vet. Affairs	\$6,863,857	\$18,832,963	\$1,870,393	\$1,911,804	\$0	\$0	\$0	\$0	\$0	\$0	\$8,734,250	\$20,744,767
	78.6%		21.4%								100%	
Education-Related Agencies												
Dept of Education	\$2,704,735,493	\$2,729,735,493	\$349,256,486	\$434,256,486	\$275,427,402	\$275,427,402	\$0	\$0	\$0	\$0	\$3,329,419,381	\$3,439,419,381
	81.2%		10.5%		8.3%						100%	
School for the Blind	\$4,726,496	\$5,006,764	\$1,154,826	\$1,193,851	\$2,000	\$2,000	\$0	\$0	\$0	\$0	\$5,883,322	\$6,202,615
	80.3%		19.6%		0.03%						100%	
School for the Deaf	\$6,692,026	\$7,003,254	\$832,729	\$935,229	\$838,041	\$844,191	\$0	\$0	\$0	\$0	\$8,362,796	\$8,782,674
	80.0%		10.0%		10.0%						100%	\$0
Board of Regents	\$25,807,493	\$45,658,386	\$2,539,922	\$2,539,922	\$2,698,774	\$2,703,334	\$0	\$0	\$0	\$0	\$31,046,189	\$50,901,642
	83.1%		8.2%		8.7%						100%	
Historical Society	\$3,252,801	\$4,193,735	\$393,916	\$450,652	\$413,340	\$499,347	\$7,500	\$7,500	\$0	\$0	\$4,067,557	\$5,151,234
	80.0%		9.7%		10.2%		0.2%				100%	
State Library	\$3,852,170	\$5,451,483	\$481,521	\$481,521	\$481,522	\$481,522	\$0	\$0	\$0	\$0	\$4,815,213	\$6,414,526
	80%		10%		10%						100%	

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Agency/ Branch	Buy Now		Buy Next		Buy Last		Don't Buy		Not Prioritized		Total	
	State funds	Total Funds	State funds	Total Funds	State funds	Total Funds	State funds	Total Funds	State funds	Total Funds	State funds	Total Funds
Transportation and Public Safety Agencies												
KDOT (b)	\$533,902,000	\$837,829,000	\$55,409,000	\$55,409,000	\$65,479,000	\$65,479,000	\$0	\$0	\$0	\$0	\$654,790,000	\$958,717,000
	81.5%		8.5%		10.0%						100%	
Dept of Corrections	\$205,518,511	\$215,320,781	\$25,651,325	\$26,023,756	\$25,361,337	\$25,914,153	\$0	\$0	\$0	\$0	\$256,531,173	\$267,258,690
	80.1%		10.0%		9.9%						100%	
Juvenile Just. Auth.	\$72,160,237	\$85,668,419	\$2,691,130	\$3,843,617	\$0	\$0	\$3,076,267	\$3,155,371	\$0	\$0	\$77,927,634	\$92,667,407
	92.6%		3.5%				3.9%				100%	
Adjutant General	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$24,432,862	\$266,434,202	\$24,432,862	\$266,434,202
									100%		100%	
Highway Patrol	\$37,374,990	\$65,072,128	\$4,903,035	\$4,903,035	\$4,490,339	\$5,435,967	\$0	\$0	\$0	\$0	\$46,768,364	\$75,411,130
	79.9%		10.5%		9.6%						100%	
KBI	\$11,970,324	\$20,230,749	\$639,922	\$665,897	\$1,017,828	\$1,253,177	\$0	\$0	\$0	\$0	\$13,628,074	\$22,149,823
	87.8%		4.7%		7.5%						100%	
Sentencing Comm.	\$9,841,883	\$10,309,223	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$9,841,883	\$10,309,223
	100%										100%	
Agriculture and Natural Resources Agencies												
Dept of Agricul.	\$8,751,142	\$14,161,808	\$1,004,275	\$1,091,422	\$1,010,481	\$1,397,866	\$0	\$0	\$0	\$0	\$10,765,898	\$16,651,096
	81.3%		9.3%		9.4%						100%	
Conserv. Comm.	\$14,946,781	\$15,324,563	\$1,797,477	\$1,797,477	\$2,374,992	\$2,374,992	\$0 (a)	\$0 (a)	\$0	\$0	\$19,119,250	\$19,497,032
	78.2%		9.4%		12.4%						100%	
KS Water Office	\$5,288,066	\$6,119,305	\$661,000	\$661,000	\$661,492	\$742,992	\$0	\$0	\$0	\$0	\$6,610,558	\$7,523,297
	80%		10%		10%						100%	
Wildlife & Parks	\$9,356,832	\$28,128,384	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$9,356,832	\$28,128,384
	100%										100%	
Total	\$5,075,757,984	\$7,277,136,725	\$612,657,922	\$921,332,129	\$499,943,448	\$580,354,479	\$22,952,059	\$40,182,207	\$39,534,772	\$287,099,705	\$6,250,846,185	\$9,106,105,246
	81.2%		9.8%		8.0%		0.4%		0.6%		100.0%	

(a) The agency prioritized programs that didn't spend money in 2009 but are budgeted for 2010.

(b) KDOT officials provided anticipated cash disbursements from the State Highway Fund in FY2010.

(c) The Department of Commerce didn't prioritize slightly more than 26% of its reported State expenditures because these dollars pay for programs that are passed along to other entities that decide how the money is spent.

Source: Program expenditures obtained from agency officials.

Figure 1-2
Examples of Programs Prioritized by Agencies as "Buy Last"
Revised Estimated Expenditures for Fiscal Year 2009

Agency/Branch	Program or Subprogram agency prioritized in the "Buy Last" category	Amount of FY09 Estimated State Funding Associated	Included in FY09 or FY10 Budget Reduction Proposal
General Government Agencies			
Department of Admin.	• None listed	-	-
Department of Commerce	• Programs that encourage business development	\$504,000	None
	• Programs that encourage in-State travel and tourism	\$90,000	Part
	• Trade development support programs	\$249,000	All
	• Community dev. tax credits and mainstreet grants	\$218,000	None
	• Agriculture products development programs	\$170,000	Part
	• Various other programs	\$337,000	Part
KTEC	• State match to federal research grants to Regents universities	\$1.1 million	Part
Department of Revenue	• Criminal and civil tax fraud investigations	\$580,000	Part
Governor	• None listed	-	-
Attorney General	• Accounts payable position	\$60,000	None
Judicial Branch (a)	• None listed for fiscal year 2009	-	-
Human Services Agencies			
SRS	• General assistance to adults with disabilities	\$9.5 million	Part
	• Various grants that assist children and families	\$41.9 million	Part
Children's Cabinet	• None listed	-	-
KS Health Policy Authority	• Reduce provider rates for the medical assistance and State Children's Health Insurance Program (SCHIP).	\$31.9 million	None
Department on Aging	• Various community grants to support seniors	\$3.0 million	Part
	• Nutrition grants to home bound elderly Kansans	\$3.1 million	None
KDHE	• Supplies for Phenylketonuria (PKU)	\$208,000	None
	• Watershed programs	\$830,000	None
	• Natural resource damage and assessment program	\$680,000	All
Comm. on Vet. Affairs	• None listed	-	-
Education-Related Agencies			
Department of Education	• Aid to districts with a declining enrollment	\$50,000	None
	• State portion of the KPERs contribution	\$250 million	None
	• Career Pipeline program for students	\$208,000	None
	• Pre-Kindergarten program	\$5.0 million	None
	• Parents as Teachers program	\$7.5 million	None
	• Education to students in juvenile detention centers	\$7.7 million	None
	• Professional development for teachers	\$1.8 million	None
	• Teacher mentoring program	\$1.7 million	None
	• After school programs	\$775,000	None
School for the Blind	• Hospitality fund	\$2,000	None
School for the Deaf	• Direct services to deaf students and their families	\$838,000	Part
Board of Regents	• Scholarships (distinguished scholars, military, optometry)	\$894,000	None
Historical Society	• Maintenance and operations of five Kansas historical sites	\$209,000	Part
State Library	• A portion of the State aid to local libraries	\$217,000	Part

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Figure 1-2 (continued)
Examples of Programs Prioritized by Agencies as "Buy Last"
Revised Estimated Expenditures for Fiscal Year 2009

Agency/Branch	Program or Subprogram agency prioritized in the "Buy Last" category	Amount of FY09 Estimated State Funding Associated	Included in FY09 or FY10 Budget Reduction Proposal
Transportation and Public Safety Agencies			
KDOT (b)	• Road maintenance projects that haven't started yet.	\$65.5 million	None
Department of Corrections	• Closing all or part of several correctional facilities	\$4.6 million	Part
	• Reducing offender programs (such as sex offender treatment, substance abuse, education).	\$7.0 million	Part
	• Parole services - staff eliminations	\$2.0 million	Part
Juvenile Justice Authority	• None listed	-	-
Adjutant General	• None listed	-	-
Highway Patrol	• Hire and train new troopers	\$820,000	Part
	• Providing law enforcement to the Capitol and other properties in Shawnee County.	\$3.4 million	Part
	• Motor Assistance program	\$236,000	None
KBI	• Offender registration and missing persons program	\$425,000	All
	• Supports the Kansas Criminal Justice Information System (KCJIS) connecting Kansas to various national databases.	\$593,000	None
Sentencing Commission	• None listed	-	-
Agriculture and Natural Resources Agencies			
Department of Agriculture	• Agricultural statistics programs, including commodity prices or rental rates, for the agricultural community.	\$137,000	None
	• Weights and Measures Small Scale Programs	\$230,000	Part
	• Water Appropriations, Basin Management, and Water Structures Programs.	\$421,000	Part
	• Grain Warehouse Inspection Program.	\$150,000	None
	• Inspections by the Plant Protection and Weed Control Division and reviewing applications for swine facility wastewater on farmland.	\$72,000	Part
Conservation Commission	• Mapping dam breach zones	\$235,000	None
	• Pilot project to reduce use of over-appropriated groundwater aquifers	\$1.2 million	None
	• Various water quality related programs	\$912,000	None
Kansas Water Office	• Aquifer storage and recovery project in Wichita to help meet water supply needs through 2050.	\$168,000	Part
	• Various Equipment upgrades.	\$220,000	Part
	• Water Resource Education, Technical Assistance, and other information-related programs.	\$121,000	Part
	• Various studies related to water availability, uses, funding resources, and specific problem solving.	\$130,000	Part
Wildlife and Parks	• None listed	-	-
<p>(a) The Judicial Branch identified programs in the Buy Last category that didn't spend money in fiscal year 2009 but are budgeted for fiscal year 2010.</p> <p>(b) KDOT officials provided anticipated cash disbursements from the State Highway Fund in FY2010.</p> <p>Source: Program expenditures and prioritization obtained from agency officials.</p>			

Separate Analyses We Conducted Showed The State Spends A Significant Amount For Non-Mandated Medicaid and Special Education Services

Because of other audit work we've done in the past, we were aware that the State spends a significant amount of money on parts of two programs—the Medicaid Program and the Special Education Program—that aren't mandated by the federal government. We analyzed information from the Kansas Health Policy Authority and the Department of Education regarding these programs.

In fiscal year 2008, about 55% of total Medicaid spending was "optional." Medicaid is a jointly funded program in which the State generally pays a share of the medical costs for people who meet certain federal eligibility requirements – primarily related to their income, disability, or age. Federal law requires states to provide certain medical services to Medicaid clients. Those services include inpatient and outpatient hospital care, physician visits, and lab and x-ray services.

States also have the option of paying for services that aren't required by federal law—such as dental care, vision care, pharmacy, and home-and community-based services. Those optional services are provided both to people who are required to be covered under the Medicaid program under federal law, and to certain optional populations. Those optional populations include people states can elect to cover. In Kansas, these include people who are on MediKan, people whose incomes may be slightly above the maximum federal guidelines, elderly people who are medically needy, and the like. These clients still are likely to be very poor, disabled, or needy, but they don't meet the basic eligibility requirements under federal law.

In fiscal year 2008, Kansas spent almost \$982 million in State funds for Medicaid. According to the Health Policy Authority, \$315.6 million of that amount—about 32% of the total— was for optional services being provided to Medicaid clients, and \$225.8 million was for mandatory services being provided to optional populations. That information is summarized in *Figure 1-3*.

It is important to note that when states choose to offer an optional service, they are required to provide the service to both "optional" and "mandatory" populations to receive federal funding. Thus these

Figure 1-3
Cost Comparison of Providing Mandatory and Optional Medicaid Services to Mandatory and Optional Medicaid Populations in State Dollars
Fiscal Year 2008

	Mandatory Population	Optional Population	Total
Mandatory Services	\$440,150,658	\$225,784,148	\$665,934,806
Optional Services	\$179,386,312	\$136,258,030	\$315,644,342
Total	\$619,536,970	\$362,042,178	\$981,579,148

Source: Medicaid expenditure data provided by Kansas Health Policy Authority

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optional services can't be removed just from the optional populations without denying them to all Medicaid clients.

Under current law, the State will spend about \$15.3 million on optional services for gifted students in fiscal year 2010. Although the Kansas Special Education for Exceptional Children Act requires school districts to provide special education services to gifted children, the federal Individuals with Disabilities Education Act (IDEA) does not. According to the Department of Education, during the 2006-07 school year, almost 15,000 students (1,046 on a full-time-equivalent basis) received gifted services. That was slightly more than 4% of the total full-time-equivalent students in special education that year. Also, Department records show that about 4% of the special education teachers and paraprofessionals are involved in providing gifted services to children.

We applied the number of teachers and paraprofessionals associated with gifted programs from the 2007-08 school year to the total funding that likely will be provided for fiscal year 2010 (as estimated by the Department of Education, Legislative Research Department, and the Division of the Budget). Our computations showed that providing the optional gifted services will cost about \$15.3 million, provided the special education law is fully funded.

Conclusion:

With the looming fiscal crisis hanging over the State, the Legislature and agency officials have some extraordinarily difficult decisions ahead in bringing the State's budget into balance. The information provided in this report was intended to give legislators and agency officials a different perspective on program spending. Agency officials took this exercise very seriously, and clearly went to a lot of effort to try to prioritize their programs as we had requested. At the same time, many also expressed strong concerns about having to make priority choices among programs and subprograms that they considered to be essential. Given the policy priorities that are decided, many of the programs and subprograms agencies listed in the "buy next or buy last" categories likely would never be considered for complete elimination. That should be expected. But that doesn't diminish the value of having such information available to policy makers as one facet of the discussions about which programs and subprograms are most critical to the mission and goals of the State, whether all existing programs and subprograms still are needed, what would happen if some were eliminated, and the like. With the cooperation of officials representing 47 State entities, we now have a database of information about their programs and subprograms. Such information could be refined and revised over time to provide the basis for more systematic discussions in the future of which programs and subprograms are essential to the State and its citizens.

KANSAS STATE DEPARTMENT OF EDUCATION

Agency Mission: *To promote academic achievement by providing leadership, accountability, opportunity, educational vision, and advocacy for all. Schools will work with families and communities to prepare each student with the living, learning, and working skills and values necessary for caring, productive, and fulfilling participation in a changing society.*

Notes: The Department distributes aid to local education agencies. As listed in the table below, part of the aid is for special education. Two other agencies listed in this report, the Kansas School for the Deaf and the Kansas State School for the Blind, receive portions of the listed special education State aid.

Program & Description	Year Est.	Target Pop.	Agency Est. of # Served or Size	Statutory Citations Provided by Agency	FY 2009 Estimated Program Expenditures; Revised Estimate as Submitted to the Division of Budget					Agency Comments or Rationale for Ranking:
					SGF	SUBTOTAL ALL STATE FUNDS	FEDERAL FUNDS	OTHER FUNDS	GRAND TOTAL	
Programs identified by Agency as "BUY FIRST" (Agencies were not asked to rank these programs)										
1. General State Aid - To provide funding to school districts for the education of students in grades kindergarten through 12.	1965	Children Only	466,000 students	KSA 72-6407 et seq	\$2,197,321,000	\$2,197,321,000	\$0	\$25,000,000	\$2,222,321,000	Significant changes were made in 1972 and 1992. In 2006, the aid was held to be constitutional by the Supreme Court. If State aid is reduced below the prior year's level, the federal "maintenance of effort" requirement would be violated, resulting in a loss of \$96 million federal dollars.
2. Special Education State Aid - To provide funding to school districts to cover the cost of special education students, including those enrolled in the gifted program.	Kansas: 1965; Fed: 1979	Children Only	80,000 students	KSA 72-962 et seq; 72-978	\$432,035,493	\$432,035,493	\$0	\$0	\$432,035,493	The amount of State aid a school district receives is based on the number of special education teachers it employs, transportation costs, and "catastrophic" aid. If State aid is reduced below the prior year's level, the federal "maintenance of effort" requirement would be violated, resulting in a loss of \$105 million federal dollars.
3. Capital Improvement State Aid (Bond and Interest) - To provide funds to local school districts to help pay their bond and interest payments.	1992	Children Only	233,000 students	KSA 75-2319	\$75,379,000	\$75,379,000	\$0	\$0	\$75,379,000	This program was held to be constitutional by the Supreme Court.
Subtotal					\$2,704,735,493	\$2,704,735,493	\$0	\$25,000,000	\$2,729,735,493	LPA Note: These "Buy First" programs represent 81.2% of the total State dollars this agency reported spending on the programs it included in this document.

KANSAS STATE DEPARTMENT OF EDUCATION

Program & Description	Year Est.	Target Pop.	Agency Est. of # Served or Size	Statutory Citations Provided by Agency	FY 2009 Estimated Program Expenditures; Revised Estimate as Submitted to the Division of Budget					Agency Comments or Rationale for Ranking:
					SGF	SUBTOTAL ALL STATE FUNDS	FEDERAL FUNDS	OTHER FUNDS	GRAND TOTAL	
Programs identified by Agency as "BUY NEXT" (Agency did not rank within this category)										
<p><u>4. Supplemental General State Aid</u> - To provide additional funding to school districts that have relatively low property values per pupil, and who would have to impose high property taxes to keep up with districts that have higher property values per pupil.</p>	1992	Children Only	466,000 students	KSA 72-6433 et seq	\$324,146,000	\$324,146,000	\$0	\$0	\$324,146,000	<p>This aid was held to be constitutional by the Supreme Court. It is critical that it be funded to meet recommendations from school finance studies. If State aid is reduced below the prior year's level, the federal "maintenance of effort" requirement would be violated, resulting in a loss of \$96 million federal dollars. It is ranked in this category due to audit guidelines.</p>
<p><u>5. Capital Outlay State Aid</u> - To equalize school districts by placing a cap on local efforts to make facility improvements, and providing additional funding to a district if its total assessed valuation of property per pupil is lower than the Statewide median.</p>	2005	Children Only	350,000 students	KSA 72-8814	\$22,600,000	\$22,600,000	\$0	\$0	\$22,600,000	<p>This aid was held to be constitutional by the Supreme Court. It is critical that it be funded to meet recommendations from school finance studies. It is ranked in this category due to audit guidelines.</p>
<p><u>6. School Food Service State Aid</u> - To fund the school lunch program, which provides for nutritious meals for students enrolled in Kansas public and nonpublic accredited schools.</p>	1973	Children Only	525,000 students (including private school students)	KSA 72-5112 et seq	\$2,510,486	\$2,510,486	\$85,000,000	\$0	\$87,510,486	<p>The federal program requires State matching funds.</p>
Subtotal					\$349,256,486	\$349,256,486	\$85,000,000	\$0	\$434,256,486	<p>LPA Note: These "Buy Next" programs represent 10.5% of the total State dollars this agency reported spending on the programs it included in this document.</p>
Programs identified by Agency as "BUY LAST" (Agency did not rank within this category)										
<p><u>7. Parents as Teachers</u> - To provide parents of children from birth to age three with information, assistance, and resources on parenting skills and styles and child development and growth.</p>	1990	Children Only	19,000 parents	KSA 72-3603	\$0	\$7,539,500	\$0	\$0	\$7,539,500	<p>The program has been effective in preparing students for entering school. It helps identify children with learning challenges or disabilities and helps to address those issues early.</p>
<p><u>8. Juvenile Detention Facilities</u> - To provide educational services to students in juvenile detention facilities and psychiatric residential centers.</p>	1994	Children Only	837 students	KSA 72-6407; 72-8187	\$7,706,161	\$7,706,161	\$0	\$0	\$7,706,161	<p>The program maintains a student's educational progress while in detention and reduces the cost of public assistance programs in the future.</p>

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KANSAS STATE DEPARTMENT OF EDUCATION

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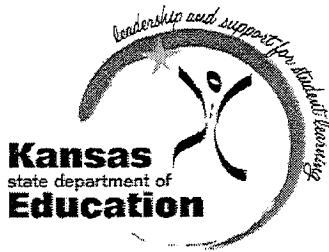
Program & Description	Year Est.	Target Pop.	Agency Est. of # Served or Size	Statutory Citations Provided by Agency	FY 2009 Estimated Program Expenditures; Revised Estimate as Submitted to the Division of Budget					Agency Comments or Rationale for Ranking:
					SGF	SUBTOTAL ALL STATE FUNDS	FEDERAL FUNDS	OTHER FUNDS	GRAND TOTAL	
9. Professional Development - To allow school districts to use local money and receive matching State aid to provide research-based professional development to district staff.	1984	Adults Only	40,000 teachers	KSA 72-9601	\$1,750,000	\$1,750,000	\$0	\$0	\$1,750,000	Between 20% and 40% of the variation in student achievement is because of teacher expertise, which is the focus of professional development. It is ranked in this category due to the audit guidelines.
10. Teacher Mentoring - To provide an experienced, well-trained teacher to help new teachers entering the profession for their first two years.	2000	Adults Only	1,700 teachers	KSA 72-1412	\$1,650,000	\$1,650,000	\$0	\$0	\$1,650,000	The program helps to recruit and retain teachers. Research indicates that the program increases the retention of new teachers by 8%, leading to higher student achievement.
11. Pre-Kindergarten Pilot - To provide early education services to four-year-olds who are at-risk of academic failure so they can succeed in kindergarten.	2006	Children Only	2,000 students	-	-	\$5,000,000	\$0	\$0	\$5,000,000	The program was established in the Children's Cabinet, but was transferred to KSDE in 2008. Research shows that it is highly effective. In Kansas, children who attended preschool scored higher on academic tests than their peers. It is ranked here due to audit guidelines.
12. National Board Certification - To encourage and reward teachers who are nationally board certified.	2000	Adults Only	256 teachers	KSA 72-1398	\$285,000	\$285,000	\$0	\$0	\$285,000	The program increases teacher effectiveness. Results show that students of nationally-certified teachers have higher achievement. These teachers also are used to provide staff development for other teachers. It is ranked here due to audit guidelines.
13. After School Programs for Middle School Students - To provide grants to middle schools to provide safe, supervised, enriching, and skill-building opportunities for middle school youth.	2007	Children Only	1,350 students	-	\$400,000	\$400,000	\$0	\$0	\$400,000	The program extends instructional time for students. Research shows that an additional 30 minutes of instruction each day results in an additional 14 full days of instruction per year. It is ranked here due to audit guidelines.
14. After School Enhancement Grant - To provide grants to existing after-school programs that provide enhanced learning opportunities to low-income students who are at risk of academic failure.	2006	Children Only	3,609 students	-	\$375,000	\$375,000	\$0	\$0	\$375,000	See comment from "After School Programs for Middle School Students"
15. Kansas Historical Society - To provide funding to enable the Society to continue with the development and dissemination of teaching materials for courses aligned with the current history curricular standards.	2004	Children Only	36,000 students	-	\$50,000	\$50,000	\$0	\$0	\$50,000	Kansas law requires a student to take a course in Kansas history and government at an accredited high school. Outstanding materials have been provided at an economical cost. According to research, it is highly effective. It is ranked here due to audit guidelines.

KANSAS STATE DEPARTMENT OF EDUCATION

Program & Description	Year Est.	Target Pop.	Agency Est. of # Served or Size	Statutory Citations Provided by Agency	FY 2009 Estimated Program Expenditures; Revised Estimate as Submitted to the Division of Budget					Agency Comments or Rationale for Ranking:
					SGF	SUBTOTAL ALL STATE FUNDS	FEDERAL FUNDS	OTHER FUNDS	GRAND TOTAL	
<u>16. Kansas Teacher of the Year</u> - To identify, recognize, and utilize representatives of excellent teaching in elementary and secondary classrooms.	2004	Adults Only	105 teachers	-	\$10,000	\$10,000	\$0	\$0	\$10,000	Research has shown the program to be highly effective. It is ranked here due to audit guidelines.
<u>17. Kansas Association for Conservation and Environmental Education</u> - To support conservation and environmental education through professional development among Kansas schools.	1996	Adults Only	-	-	\$35,000	\$35,000	\$0	\$0	\$35,000	The funding serves as leverage for additional funding from private donors. The State contribution is a small percentage of the total. This program is growing due to the demand of society for environmental improvements. Research has shown the program to be highly effective. It is ranked here due to audit guidelines.
<u>18. Communities in Schools</u> - To assist local communities as they build public/private partnerships to address children at-risk for academic failure.	1995	Children Only	13,000 students	-	\$35,000	\$35,000	\$0	\$0	\$35,000	The communities participating in this program bring together leaders and programs for the improvement of student achievement and the community environment. Research has shown the program to be highly effective. It is ranked here due to audit guidelines.
<u>19. Educable Deaf/Blind</u> - To provide assistive technology and adaptive equipment for deaf/blind students.	1959	Children Only	77 students	KSA 72-853	\$110,000	\$110,000	\$0	\$0	\$110,000	The funding for deaf/blind students covers the cost of educating high needs students that exceeds all other funds available. Due to the extraordinary needs of children who are both deaf and blind, the majority of these funds are spent on assistive technology and adaptive equipment. These devices allow the students to lead a productive life. It is ranked here due to audit guidelines.
<u>20. Agriculture in the Classroom</u> - To provide staff development for teachers on the significance and importance of agriculture in Kansas.	1983	Adults Only	100 teachers	-	\$35,000	\$35,000	\$0	\$0	\$35,000	The Kansas Foundation for Agriculture in the Classroom provides summer courses at four locations. Funding requires a 40% match of the State funds from other sources. Because Kansas is one of the leading agricultural states, offering programs of this nature is a necessity for the economic success of the state. It is ranked here due to audit guidelines.

KANSAS STATE DEPARTMENT OF EDUCATION

Program & Description	Year Est.	Target Pop.	Agency Est. of # Served or Size	Statutory Citations Provided by Agency	FY 2009 Estimated Program Expenditures; Revised Estimate as Submitted to the Division of Budget					Agency Comments or Rationale for Ranking:
					SGF	SUBTOTAL ALL STATE FUNDS	FEDERAL FUNDS	OTHER FUNDS	GRAND TOTAL	
<u>21. Vision Study</u> - To identify students with vision problems and correct any problems as soon as possible.	1999.	Children Only	470 students	-	-	\$200,000	\$0	\$0	\$200,000	A study showed that over 90% of poor readers may be helped by improving their vision, which subsequently leads to higher academic achievement. The program is listed here due to audit guidelines.
<u>22. Declining Enrollment</u> - To provide equalization funding for school districts with declining enrollment that have received an appeal from the State Board of Tax Appeals.	2005	Children Only	2,800 students	KSA 72-6451	\$50,000	\$50,000	\$0	\$0	\$50,000	The program was adopted by the Legislature in response to the Court's requirements to provide equitable and suitable financing to meet constitutional requirements. It is ranked here because of audit guidelines.
<u>23. Career Pipeline</u> - To provide funding to a nonprofit organization ("Career Pipeline") to engage students in an educational system that is designed to help determine a career and life goals.	2008	Children Only	70,000 students	-	\$207,620	\$207,620	\$0	\$0	\$207,620	The program links students to educational resources and connects students with workplace resources that are relevant to their career goals. The Department matches the money that is raised by the program, dollar for dollar. It is ranked here due to audit guidelines.
<u>24. Kansas Public Employees Retirement System</u> - To provide the State match for all school districts and community colleges that participate in KPERS.	1971	Adults Only	80,000 employees	KSA 74-4934	\$249,989,121	\$249,989,121	\$0	\$0	\$249,989,121	The responsibility for the payment was assigned to KSDE in 1994. The program is crucial at this time due to the financial status of KPERS. The program is ranked here due to audit guidelines.
Subtotal					\$262,687,902	\$275,427,402	\$0	\$0	\$275,427,402	LPA Note: These "Buy Last" programs represent 8.3% of the total State dollars this agency reported spending on the programs it included in this document.
Grand total of agency's reported program expenditures					\$3,316,679,881	\$3,329,419,381	\$85,000,000	\$25,000,000	\$3,439,419,381	



Division of Fiscal & Administrative Services

785-296-3871
785-296-0459 (fax)

120 SE 10th Avenue * Topeka, KS 66612-1182 * 785-296-6338 (TTY) * www.ksde.org

January 15, 2009

Mrs. Barbara J. Hinton
Legislative Post Auditor
Legislative Division of Post Audit
800 S. W. Jackson Street, Suite 1200
Topeka, Kansas 66612-2212

Dear Ms. Hinton:

We have made every effort to cooperate with the Legislative Post Audit Committee and your staff in completing the data collection document which identifies the programs administered by the Kansas State Department of Education that are funded entirely or in part with state funds.

The ranking was extremely difficult due to the constitutional requirements applicable to Kansas public schools and that nearly all the programs are mandated by state law or the Legislature through the appropriation process.

These programs have proven to be highly effective, which can be substantiated by state and national research, and have led to increased student achievement over the past eight years. We believe that all the identified programs are essential and that reductions will likely result in an adverse effect on student achievement.

Please feel free to contact this office if we can assist you further.

Sincerely,

Dale M. Dennis, Deputy
Commissioner of Education

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

010-West-Statehouse, 300 SW 10th Ave.
Topeka, Kansas 66612-1504
(785) 296-3181 ♦ FAX (785) 296-3824

kslegres@klrd.ks.gov

<http://www.kslegislature.org/klrd>

March 31, 2009

To: 2010 Commission
From: Jennifer N. Horchem, Legislative Intern
Re: Merit Pay for Teachers

Because merit pay or pay for performance is a topic that Chairperson Chronister indicated warranted discussion, I conducted research and found the information presented in this memorandum.

What Other States and School Districts Are Doing

At least seven states, and at least one school district in another state, have created programs that use merit pay or pay for performance compensation plans. The plans vary in who they award; for example, some apply only to teachers while others apply to teachers, administrators or support staff. Whether a teacher receives compensation under a plan may depend upon where the teacher falls on a career ladder, the performance of the teacher's students on standardized tests, or the teacher's competencies. In addition, some states will often offer incentive programs for hard-to-fill subject areas or hard-to-staff schools. Those programs are not included in this report.

Alaska

2006 HB 13 enacted The Public School Performance Incentive Program. The program awards incentive payments on top of base salary. Whether a teacher receives an incentive payment is based on student growth in academic achievement measured by a comparison of the student's Standards Based Assessments from the prior year. The incentive program applies to both certificated employees (teachers and administrators) and non-certificated employees (paraprofessionals and support staff). Incentive payments range from \$2,500 to \$5,500 for certificated employees and \$1,000 to \$2,500 for non-certificated employees.

Arizona

Beginning in 1985, the Arizona Career Ladder was implemented in school districts. The Career Ladder is a performance-based incentive pay program. (Arizona Revised Statutes 15:918). Higher levels of incentive pay are awarded based on the teacher's placement on the "ladder" which is created by the school district. Criteria for evaluating teachers includes: (1) classroom observations, (2) pupil academic growth, and (3) increased responsibilities. New teachers have the option of whether to remain on the district's traditional salary system or to join the program. The Career Ladder is funded by local property taxes and state general fund appropriations.

Arizona also passed the Classroom Site Fund in November 2000. This increased state sales tax from 5 percent to 5.6 percent in order to help fund education programs. In order to receive funds, districts must participate in some sort of performance pay program for teachers.

Florida

Florida Statute 1012.22 requires that districts base a teacher's salary, in part, on performance. The awards or incentives are limited to \$2,000 or 10 percent of the first year's gross savings. Monetary awards or incentives may also be granted to persons who propose ideas or procedures that will result in eliminating or reducing district school board expenditures.

Florida Statute 1012.25 also requires district school boards to adopt a Merit Award Program in order to receive funding. Awards are based upon student performance in the teacher's classroom or school. Instructional personnel and administrators are eligible for the awards. Awards are granted to those individuals designated as outstanding performers, and the amount of the award may range from 5 percent to 10 percent of the average teacher's salary. The assessment is based upon the teacher's performance in the classroom and student performance on standardized tests.

Georgia

The State of Georgia provides several different programs for awarding teachers based upon performance. Under the Official Code of Georgia Annotated (OCGA) 20-2-212.4, a teacher may receive an additional 5 percent increase in annual state compensation following the year in which the teacher's students earn a significant increase in average scores on the criterion-referenced test or other tests selected by the State Board of Education.

Georgia, under OCGA 20-2-213, also authorizes the state board of education to devise career ladder programs that reward teachers and other certificated professional personnel who demonstrate above average or outstanding competencies relative to their respective positions and exhibit above average or outstanding performance in performing their responsibilities with salary supplements.

Georgia, under OCGA 20-2-213.1, also authorizes the state board of education to devise and implement a pay-for-performance program that rewards group productivity. The criteria for evaluating proposals is based upon the overall educational performance of the school in areas related to student outcomes and achievement. The awards are subject to an appropriation by the State General Assembly.

Minnesota

Enacted in 2005, the Quality Compensation program for teachers, known as Q Comp, allows districts to enter into an alternative pay system by submitting an educational improvement plan. The plan has eight components, including: (1) assessment and evaluation tools to measure student performance and progress; (2) performance goals and benchmarks for improvement; (3) measures of student attendance and completion rates; (4) a rigorous professional development system; (5) measures of student, family, and community involvement and satisfaction; (6) a data system about students and their academic progress that provides parents and the public with understandable information; (7) a teacher induction and mentoring program for probationary teachers that provides

continuous learning and sustained teacher support; and (8) substantial participation by the exclusive representative of the teachers in developing the plan. (Minnesota Statutes 122A.413.)

Mississippi

During the 2006 session, the Mississippi Legislature enacted SB 2602 which created the Mississippi Performance Based Pay plan. The plan provided that after full funding of the Mississippi Adequate Education Program, money could be provided to award certified teachers, administrators, and nonlicensed personnel at individual schools for showing an improvement in test scores. The criteria for the program included: (1) utilizing existing standards of accreditation and assessment as established by the State Board of Education; (2) calculating awards based on the school's increase on standardized scores from the prior school year; and (3) fostering teamwork among teachers by requiring the school to present the local school district with a plan detailing how all teachers and administrators would be responsible for student improvement. The criteria for whether a school is eligible to participate in the pay plan is based on student assessment results, growth in student achievement at individual schools, and other measures deemed appropriate. The plan is repealed effective June 30, 2009.

Texas

In 2006, the Texas Legislature passed HB1 which created two teacher incentive programs.

The Texas Educator Excellence Grant (TEEG) provides monetary grants to the state's economically disadvantaged schools that demonstrate the highest amount of student improvement. Schools receive grant funds, of which 75 percent must be used to reward teachers. Schools create an incentive program plan that relies on objective and quantifiable measures for two required criteria: impact on student achievement and collaboration. The incentive program can include up to two optional criteria from the following: teacher initiative, commitment, personalization, professionalism and campus involvement, and teacher assignment to hard-to-staff or high-turnover subject areas.

The second program created in 2006 was the District Awards for Teacher Excellence (DATE). The grants may be used by the districts to create award plans. Schools are eligible to receive awards if they complete the required notice of intent to apply, participate in technical assistance, comply with program timelines and activities, and submit a completed grant application. Funds are awarded based on the average daily attendance (ADA) of the participating districts. School districts must use at least 60 percent of the grant to award teachers that positively impact student academic improvement, growth, or achievement, or both.

Denver Public Schools

In 2005, Denver voters elected to assess a mill levy that would raise \$25 million annually to help fund the ProComp Agreement. The Agreement was the design of the Denver Public Schools and Denver Classroom Teachers Association joint task force. The program was designed to link teacher pay to the goals and objectives of the Denver Public Schools and Denver Classroom Teachers Association.

The system is comprised of the following four components:

- Knowledge and Skills

- Teachers who complete annual professional development units or earn national certification or graduate degrees will earn compensation.
- Teachers may be reimbursed up to \$1,000 annually and \$4,000 lifetime for tuition and repayment of student loans.
- Professional Evaluation
 - For every three years of satisfactory evaluations, teachers will earn salary increases.
- Student Growth
 - Teachers can earn compensation for meeting annual objectives, for exceeding Colorado Student Assessment Program growth goals, and for working in distinguished schools.
- Market Incentives
 - Teachers can earn annual bonuses by working in hard-to-fill areas or hard-to-serve schools.

The system provided existing teachers the option of whether to join. New teachers were automatically enrolled in the system.

Why do schools choose not to use merit pay?

In an article presented to the March 2005 American Education Finance Association, it was observed that the use of merit pay is more likely in school districts that have an increased amount of performance data available and less likely in highly unionized districts. On average, teachers paid under a merit pay system earned more than teachers who did not.

Some of the problems believed to be associated with merit pay in the teaching profession are (1) the teaching profession may be inadequate for the use of merit pay, because it is difficult to evaluate performance; (2) it creates competition among teachers; (3) it causes teachers to concentrate on one task or student, ignoring others.

JNH/kal

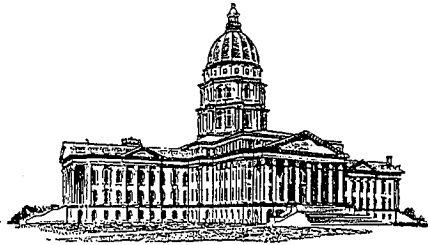
Sources:

- Dan Goldhaber, Michael DeArmond, Daniel Player, and Hyung-Jai Choi, *Why Do So Few Public School Districts Use Merit Pay?*, 33:3 Journal of Education Finance 262.
- ProComp available at <http://denverprocomp.org>.
- Education Committee of the States, Redesigned Teacher Compensation Database, http://www.ecs.org/ecsmain.asp?page=/html/educationissues/teachingquality/NCLB-HQTP/t_comp.asp
- Texas Education Agency, http://ritter.tea.state.tx.us/ed_init/teeg/ and http://ritter.tea.state.tx.us/ed_init/eeg/datex/index.html

MARY ANN TORRENCE, ATTORNEY
REVISOR OF STATUTES

JAMES A. WILSON III, ATTORNEY
FIRST ASSISTANT REVISOR

GORDON L. SELF, ATTORNEY
FIRST ASSISTANT REVISOR



OFFICE OF REVISOR OF STATUTES
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Interstate Cooperation
Kansas Statutes Annotated
Editing and Publication
Legislative Information System

TO: 2010 Commission

FROM: Theresa M. Kiernan, Senior Assistant Revisor of Statutes

RE: United Teachers of Wichita v. U.S.D. No. 259

DATE: August 14, 2008

M E M O R A N D U M

During the 2008 Legislative session, several bills were introduced to address the teacher shortage. One of those bills, House Bill No. 2870, which was introduced by Representative Clay Aurand, would have allowed school districts to establish a pay differential or bonuses for teachers in hard-to-fill teaching disciplines. A second provision in the bill would have created a state-funded grant to reimburse districts who paid annual bonuses to math and science teachers. The bill also amended the definition section of the Professional Negotiations Act (PNA), K.S.A. 72-5413, to exclude bonuses and the pay differential authorized by the bill from the definition of “terms and conditions of professional service” making those items nonnegotiable under the PNA (but could be negotiated outside of the PNA). The existing provision permits the negotiation of bonuses if both parties agree to negotiate the topic. Following introduction of House Bill No. 2870, we became aware of an administrative decision interpreting the current definition in K.S.A. 72-5413.

United Teachers of Wichita v. U.S.D. No. 259

The following is a summary of the facts and the decision of the Department of Labor (Department) in the administrative order issued on May 11, 2007, concerning the United Teachers of Wichita (UTW) v. U.S.D. No. 259 (Board).

UTW alleged: That the additional \$1,500 payment to teachers assigned to schools with high percentages of at-risk pupils was a salary supplement and not a bona fide incentive or retention bonus; that a salary supplement was within the purview of salary and wages, which is a mandatorily negotiable topic under K.S.A. 72-5413; that by adopting the policy to make such payment, the Board had made a unilateral change in a mandatorily negotiable topic; and that the Board had refused to negotiate in good faith as required by K.S.A. 72-5413.

UTW requested the Department to: Determine that by adopting the policy, the Board had committed a prohibited practice; order the Board to rescind the policy; require the board to pay all teachers the \$1,500 salary supplement; and to negotiate any future changes to mandatorily

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4/17/09
Attachment 9

negotiable topics.

The Board contended, and UTW did not dispute, that the payment of an incentive or retention bonus is a permissively negotiable item. The board also contended that school districts have the authority to initiate as policy those items that are permissively negotiable.

The PNA deems it a prohibited practice for a board of education to refuse to negotiate in good faith with respect to a mandatorily negotiable topic. Under Kansas law, the question of whether a specific subject is mandatorily negotiable is determined by the use of the "topic" approach. All that is required under the topic approach is that the subject matter of the specific proposal be within the purview of one of the categories listed under "terms and conditions of professional service." If a topic is listed as mandatorily negotiable under the PNA, then any particular proposal under that category is mandatorily negotiable unless excluded by a provision within the PNA which states:

"Nothing in this act, and amendments thereto, shall authorize the diminution of any right, duty or obligation of either the professional employee or the board of education which have been fixed by statute or by the constitution of this state. Except as otherwise expressly provided in this subsection (I), the fact that any matter may be the subject of a statute or the constitution of this state does not preclude negotiation thereon so long as the negotiation proposal would not prevent the fulfillment of the statutory or constitutional objective."

In addition, under subsection (I)(1)(C) of K.S.A. 72-5413, specific subjects for which negotiation is permissive are other matters as the parties mutually agree upon as properly related to professional service, including incentive and retention bonuses. Bargaining on subjects under this subsection is required only when both parties agree that bargaining is appropriate. Again, UTW did not dispute this point.

The Department found that since the parties could not agree that bargaining was appropriate on the subject of incentive or retention bonuses, that it was within the Board's authority to take unilateral action on a permissive topic, regardless of the parties prior willingness to negotiate in an attempt to reach common ground. A permissively negotiable subject is not transformed into a mandatorily negotiable subject by negotiation of the subject amongst the parties.

After considering all of the evidence of record, the Department found that it was clear the \$1,500 payment to teachers working in schools with high percentages of at-risk pupils, in the manner devised by the Board, constituted an employment incentive or retention bonus within the purview of Kansas statute; and that the action of the Board did not constitute a prohibited practice.

As a result of the Department's decision, which was not appealed by the UTW, there was no need to proceed with that portion of the bill authorizing the payment of a bonus or pay differential.

Statutory Provisions

K.S.A. 72-5413. As used in this act and in acts amendatory thereof or supplemental thereto:

(a) The term "persons" includes one or more individuals, organizations, associations, corporations, boards, committees, commissions, agencies, or their representatives.

(b) "Board of education" means the board of education of any school district, the board of control of any area vocational-technical school, and the board of trustees of any community college.

(c) "Professional employee" means any person employed by a board of education in a

position which requires a certificate issued by the state board of education or employed by a board of education in a professional, educational or instructional capacity, but shall not mean any such person who is an administrative employee and, commencing in the 2006-2007 school year, shall not mean any person who is a retiree from school employment of the Kansas public employees retirement system, regardless of whether an agreement between a board of education and an exclusive representative of professional employees that covers terms and conditions of professional service provides to the contrary.

(d) "Administrative employee" means, in the case of a school district, any person who is employed by a board of education in an administrative capacity and who is fulfilling duties for which an administrator's certificate is required under K.S.A. 72-7513, and amendments thereto; and, in the case of an area vocational-technical school or community college, any person who is employed by the board of control or the board of trustees in an administrative capacity and who is acting in that capacity and who has authority, in the interest of the board of control or the board of trustees, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or responsibly to direct them or to adjust their grievances, or effectively to recommend a preponderance of such actions, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

(e) "Professional employees' organizations" means any one or more organizations, agencies, committees, councils or groups of any kind in which professional employees participate, and which exist for the purpose, in whole or part, of engaging in professional negotiation with boards of education with respect to the terms and conditions of professional service.

(f) "Representative" means any professional employees' organization or any person it authorizes or designates to act in its behalf or any person a board of education authorizes or designates to act in its behalf.

(g) "Professional negotiation" means meeting, conferring, consulting and discussing in a good faith effort by both parties to reach agreement with respect to the terms and conditions of professional service.

(h) "Mediation" means the effort through interpretation and advice by an impartial third party to assist in reconciling a dispute concerning terms and conditions of professional service which arose in the course of professional negotiation between a board of education or its representatives and representatives of the recognized professional employees' organization.

(i) "Fact-finding" means the investigation by an individual or board of a dispute concerning terms and conditions of professional service which arose in the course of professional negotiation, and the submission of a report by such individual or board to the parties to such dispute which includes a determination of the issues involved, findings of fact regarding such issues, and the recommendation of the fact-finding individual or board for resolution of the dispute.

(j) "Strike" means an action taken for the purpose of coercing a change in the terms and conditions of professional service or the rights, privileges or obligations thereof, through any failure by concerted action with others to report for duty including, but not limited to, any work stoppage, slowdown, or refusal to work.

(k) "Lockout" means action taken by a board of education to provoke interruptions of or prevent the continuity of work normally and usually performed by the professional employees for the purpose of coercing professional employees into relinquishing rights guaranteed by this act and the act of which this section is amendatory.

(1) (1) "Terms and conditions of professional service" means (A) salaries and wages, including pay for duties under supplemental contracts; hours and amounts of work; vacation allowance, holiday, sick, extended, sabbatical, and other leave, and number of holidays; retirement; insurance benefits; wearing apparel; pay for overtime; jury duty; grievance procedure; including binding arbitration of grievances; disciplinary procedure; resignations; termination and nonrenewal of contracts; reemployment of professional employees; terms and form of the individual professional employee contract; probationary period; professional employee appraisal procedures; each of the foregoing being a term and condition of professional service, regardless of its impact on the employee or on the operation of the educational system; (B) matters which relate to privileges to be granted the recognized professional employees' organization including, but not limited to, voluntary payroll deductions; use of school or college facilities for meetings; dissemination of information regarding the professional negotiation process and related matters to members of the bargaining unit on school or college premises through direct contact with members of the bargaining unit, the use of bulletin boards on or about the facility, and the use of the school or college mail system to the extent permitted by law; reasonable leaves of absence for members of the bargaining unit for organizational purposes such as engaging in professional negotiation and partaking of instructional programs properly related to the representation of the bargaining unit; any of the foregoing privileges which are granted the recognized professional employees' organization through the professional negotiation process shall not be granted to any other professional employees' organization; and (C) such other matters as the parties mutually agree upon as properly related to professional service including, but not limited to, employment incentive or retention bonuses authorized under K.S.A. 72-8246 and amendments thereto.

(2) Nothing in this act, and amendments thereto, shall authorize the diminution of any right, duty or obligation of either the professional employee or the board of education which have been fixed by statute or by the constitution of this state. Except as otherwise expressly provided in this subsection (1), the fact that any matter may be the subject of a statute or the constitution of this state does not preclude negotiation thereon so long as the negotiation proposal would not prevent the fulfillment of the statutory or constitutional objective.

(3) Matters which relate to the duration of the school term, and specifically to consideration and determination by a board of education of the question of the development and adoption of a policy to provide for a school term consisting of school hours, are not included within the meaning of terms and conditions of professional service and are not subject to professional negotiation.

(m) "Secretary" means the secretary of labor or a designee thereof.

(n) "Statutory declaration of impasse date" means June 1 in the current school year.

(o) "Supplemental contracts" means contracts for employment duties other than those services covered in the principal or primary contract of employment of the professional employee and shall include, but not be limited to, such services as coaching, supervising, directing and assisting extracurricular activities, chaperoning, ticket-taking, lunchroom supervision, and other similar and related activities.

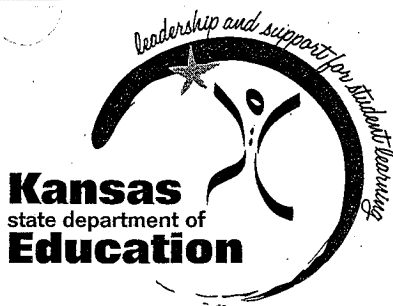
K.S.A. 72-8246. (a) As used in this section:

(1) "Teacher" means teachers, supervisors, principals, superintendents and any other professional employees who are required to hold a teacher's or school administrator's certificate in any public school.

(2) "Board of education" means the board of education of any public school district.

(b) The board of education may pay employment incentive or retention bonuses to teachers.

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Division of Fiscal & Administrative Services

785-296-3872
785-296-0459 (fax)

120 SE 10th Avenue • Topeka, KS 66612-1182 • (785) 296-6338 (TTY) • www.ksde.org

April 17, 2009

TO: 2010 Commission

FROM: Dale M. Dennis, Deputy
Commissioner of Education

SUBJECT: Length of School Week and Teacher Merit Pay

Attached you will find a list of the school districts that currently utilize the a four-day school week. Additional school districts are considering the four-day school week for the 2009-2010 school year. Therefore, we anticipate a slight increase.

As the budgets become tighter, school districts with declining enrollment will be searching for ways to cut expenditures and maintain current programs. Some districts will not be able to maintain current programs. The school districts with the shortened school year meet the instructional criteria of the law which is 186, 6-hour days, or 1,116 instructional hours. The majority of school districts operate on the 1,116 instructional hours school year requirement.

The merit pay concept has been implemented in several districts over the years. One of the biggest problems encountered is the districts' ability to be able to maintain their commitment. For example, the district may indicate in their agreement on merit pay that if teachers do exceedingly well that the district will provide additional funding. That works very well if revenue is available. In many cases, when there is a shortfall in revenue, the district is not able to keep its commitment and the program is discontinued. To our knowledge, there are no school districts that currently have a true merit pay plan.

The Salary and Benefits Subcommittee of the Teaching in Kansas Commission met several times between July and November 2008 and focused on elements of salary and benefits that are likely to raise the desirability of teaching as a profession and encourage retention of accomplished teachers over the length of a career. Attached you will find a Supplemental Report of the Subcommittee which was included in the Final Report to the Kansas Teaching Commission.

Kansas-NEA initiated its own study of teacher compensation and established the Alternative Compensation Committee. Attached is their final report which summarizes the Committee's findings and includes specific recommendations for use by local administrators investigating or considering alternative compensation.

We hope this information will be of assistance to you.

2008-09
SCHOOL DISTRICTS WITH BUILDINGS
ON FOUR-DAY SCHOOL WEEK

USD NO.	COUNTY	USD NAME
103	Cheyenne	Cheylin
220	Clark	Ashland
242	Wallace	Weskan
275	Logan	Triplains
279	Jewell	Jewell
285	Chautauqua	Cedar Vale
314	Thomas	Brewster
390	Greenwood	Hamilton
462	Cowley	Central
468	Lane	Healy
471	Cowley	Dexter

TEACHING IN KANSAS COMMISSION SALARY AND BENEFITS SUBCOMMITTEE

Membership

Name	Position	USD/Organization
Alan Cunningham, Co-Chair	Superintendent	#443-Dodge City
Duane Dorshorst, Co-Chair	Principal	#294-Oberlin
Blake West	President	Kansas-NEA
Howard Shuler	Kansas Educational Leadership Commission	State Dept. of Education
Deb Perbeck	Superintendent	#503-Parsons
Greg Man	Superintendent	#211-Norton
Gary Sechrist	Principal	#405-Lyons
A.J. D'Angelo	Human Resources	#305-Salina
Dave Clark	Teacher	#259-Wichita
Sandra Ames	Teacher	#233-Olathe
Susan Arnold	Teacher	#260-Derby
Annette Saucedo	Teacher	#229-Blue Valley

Supplemental Report to the Kansas Teaching Commission

From the Salary and Benefits Sub Committee

Introduction

The initial work of the Kansas Teaching Commission (KTC) highlighted five key areas as crucial to ensuring that teaching is raised in status and so that teacher shortages can be mitigated. Work groups were formed to study more fully each of the five areas identified by the KTC. One of those five work groups, the Subcommittee on Salary and Benefits, met on several occasions between July and November 2008. Their work focused on elements of salary and benefits that are likely to raise the desirability of teaching as a profession and encourage retention of accomplished teachers over the length of a career. This report addresses three major elements: Salary, employment benefits, and retirement benefits.

Salary

On a national level some have attempted to justify low salaries afforded to teachers by arguing that they do not work "full time." A more careful analysis, though, shows this premise to be false. In 2005, researchers at the Education Policy Institute discovered the following:

- "A comparison of teachers' weekly wages to those of other workers with similar education and experience shows that, since 1993, female teacher wages have fallen behind 13% and male teacher wages 12.5% (11.5% among all teachers). Since 1979 teacher wages relative to those of other similar workers have dropped 18.5% among women, 9.3% among men, and 13.1% among both combined.
- A comparison of teachers' wages to those of workers with comparable skill requirements, including accountants, reporters, registered nurses, computer programmers, clergy, personnel officers, and vocational counselors and inspectors, shows that teachers earned \$116 less per week in 2002, a wage disadvantage of 12.2%. Because teachers worked more hours per week, the hourly wage disadvantage was an even larger 14.1%.
- Teachers' weekly wages have grown far more slowly than those for these comparable occupations; teacher wages have deteriorated about 14.8% since 1993 and by 12.0% since 1983 relative to comparable occupations."¹

The New York Times reported that beginning teacher salaries lagged behind other comparable fields by \$5,000 to \$10,000 while annual earnings after 20 years in the job were likely to be at least \$40,000 behind. Kansas lags significantly behind other states in teacher compensation. Kansas teacher salaries also lag behind when comparing to comparable professions that potential teacher education candidates might consider when weighing their future career options.

Recent teacher shortages have prompted many to look to alternative routes to licensure in order to try and fill vacancies. Notable successful alternate route programs have actually served the profession well IF the alternate routes maintained quality and appropriate field experiences. These programs performed far better than alternate route programs which lack rigor and field experiences. Unfortunately, a recent study by the Woodrow Wilson National Fellowship Foundation revealed that

¹ From Alegretto, Corcoran, and Michel. (2005). "How Does Teacher Pay Compare? Methodological Challenges and Answers." http://www.epi.org/content.cfm/books_teacher_pay

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only a small portion of qualified individuals who have an interest in an alternate route to a teaching career say they would consider a career switch unless the starting salary was at least \$50,000.²

While nationally the teaching profession lags behind in salaries, Kansas salaries lag behind the nation. For 2006, Kansas average teacher salaries ranked 38th in the nation. The Economic Policy Institute found that, when comparing Kansas teachers with other college graduates, a significant gap exists. Teachers with a BA earn about 64.7% as much per week as others with a BA. MA level teachers earn 75.3% as much as other Kansans with an MA degree.³

Despite glaring shortfalls in teacher salaries, some make the argument that teacher salaries should not be significantly increased unless there are changes in the structures that determine an individual teacher's compensation. The "single salary schedule" was originally instituted to remove gender discrimination and various forms of favoritism – to create a pay structure that demonstrated fairness. In the 1980's, compensation systems known as "merit pay" largely failed as they reintroduced the inequities with salary differentiation based on an individual's evaluation.

But experimentation did not stop with these questionable merit-based strategies. A growing body of evidence provides insights into ways to create alternative compensation structures for the teaching profession. Plans with names ranging from "performance pay" to "career ladder" have been implemented in school districts and statewide programs.

The KTC salary and benefit work group has identified a finite list of key elements that are "best practice" in these school districts and state programs from other parts of the country. Our recommendations call for pilot programs in Kansas to also embody these elements. The ultimate goals of our work include:

- Provide beginning, average, and career salaries for teachers that are more competitive with other states and comparable professions
- Ensure a system that educators within the system perceive as fair and justifiable
- Expand criteria for determining an individual's compensation beyond years of experience and training/degrees to include additional desirable elements (objectively and fairly measured) for compensation

With these goals in mind, we make the following recommendations.

Recommendation: Raise beginning and average teacher salaries across Kansas to the national average. Evidence cited earlier noted the shortfall between teacher salaries in Kansas and in other states. Over the past three years, the average gap between Kansas salaries and the national average has been \$8,400 to \$8,800. Teachers are the greatest factor in schools impacting student achievement and learning. Kansas achievement data always ranks in the top ten nationally on every measure. The availability of excellent educators at these low salaries is at a risk, though, as a generation of outstanding teachers nears retirement. Increased professional career options available to potential teachers in every content area and grade level demand that we be proactive to make this profession attractive to strong academic candidates so that every child, every subject, every grade level continues to have an excellent teacher.

² Sawchuk, S. (Sept. 17, 2008). "Study details barriers to career-changers going into teaching." Education Week, pp. 10-11.

³ National Education Association (Sept. 2008) "Show me the money!". Reprinted from The New York Times in NEA Today, pp. 18-19.

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Recommendation: Compact Salary Schedules for “Initial” and “Professional” Educators

One strategy that matches both the best interest of career earnings for teachers and the professional growth of beginning teachers is to “compact” traditional salary schedules. While standardized tests have significant limitations in their usefulness in measuring teacher effectiveness, strong evidence exists to show that students perform significantly better for each year of experience of their teacher for the first three to seven years in the profession. (It is also noteworthy that it takes at least two years of experience by beginning teachers who enter their career through a shortcut preparation program such as “Teach For America” before their students perform as well as a first year teacher from a traditional full preparation program.) Certainly, by the completion of the first ten years, the individual is an independent, skilled educator. Further professional growth measured by the blunt instrument of standardized tests is harder to differentiate. For this reason, a top-level professional salary should be attained by the tenth year in the profession. This strategy of “compacting” a salary schedule will serve the goals of raising average teacher salaries, increasing the lifetime earnings for individual educators, and better reflecting the professional continuum of knowledge and skills.

Recommendation: Add dimensions to the Salary Schedule reflecting “Accomplished Educator” criteria

Traditional salary schedules recognize experience and training for teachers. Both of these dimensions are logical and appropriate measures for inclusion in a compensation system. But several additional factors warrant consideration as criteria for compensation. Some have proposed the concept of career scaffolds – systems that provide compensation for experience (with compressed years of experience), training/education (degrees and targeted professional development), AND for a range of other items that are either professional options for the teacher or reflect the special roles and responsibilities a teacher may fulfill in her/his school and district.

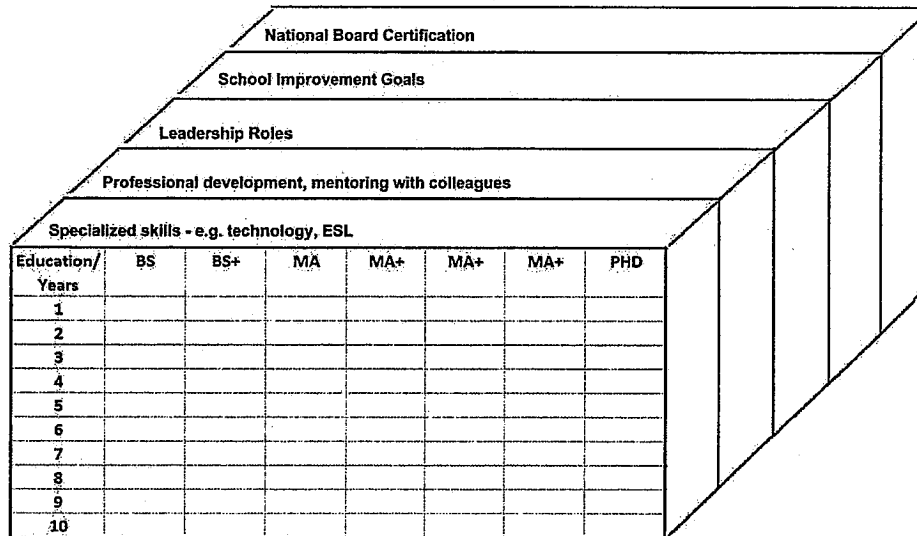
For Kansas, the first 10 years in the profession would be a time during which a teacher moves from “Initial Educator” through those experiences to become a “Professional Educator”. Early steps in this process will include the completion of the KPA, a mentoring/induction program, and the move to full licensure. Just as significant and measurable growth in the skill and independence of the early career educator continue beyond the attainment of a professional license, the salary increases as the teacher moves through the compacted salary schedule to the top of the “Professional Educator” rows. As a teacher reaches “Professional Educator” status, she/he becomes eligible to further enhance salary and also to achieve “Accomplished Educator” status.

Items that might warrant additional compensation could include, but not be limited to:

- Serving in various teacher leadership roles (e.g. grade level or department chairperson)
- Providing professional development for colleagues
- Working on projects beyond standard expectations for the teachers (e.g. curriculum revision, instructional materials selection)
- Serving in specialized teacher roles (e.g. peer coach, mentor, peer assistant, peer reviewer)
- Coordinating specialized programs or projects (e.g. leading school improvement teams, accreditation preparation work, conducting department/grade/school/district-wide action research)
- National Board Certification
- Demonstrating specialized skills (e.g. technology integration, English as a Second Language instruction)
- Engage in community outreach
- *Successful progress in achieving a school/department/grade level goal for school improvement*

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In the salary scaffold structure, each of these types of items could serve as a layer (with its own variations) as in the sample below:



In the above example, years 1-3 would represent the “Initial” phase of the career, years 3-10 (and beyond) could encompass the “Professional” phase. At some point during the career, additional expertise, certifications, leadership, etc. can move an individual from the front level to include one or more of the “Accomplished” layers.

Recommendation: Use best practice in developing compensation systems

First and foremost, a compensation system should begin with a solid beginning salary and a competitive career salary (by the end of the compacted schedule) with advanced degrees. Additional compensation that honors factors that demonstrate that an individual has moved from “professional” to “accomplished” status should supplement this solid foundation. Such additional compensation should be implemented with the following basic elements in place:

Guarantee stable, adequate state funding – Numerous studies have noted deficiencies in overall state funding. Beginning in 2000, Kansas National Education Association established a task force to determine the funding level needed to provide a “quality public school education” in every school in Kansas. They estimated that current funding at that time fell about \$800 million short of the amount needed.

Later in 2000 the Kansas State Board of Education (KSBE) laid out its goals for education in the 21st century for Kansas AND identified funding needs to meet those programs. They called for full day kindergarten, improved teacher salaries, full funding for special education excess costs, etc. They stated that at least \$790 million more was needed for schools. They also recommended a three-year phase-in of this plan.

The Kansas Legislature chose not to accept the findings of a Task Force from the 1990’s appointed by Governor Bill Graves, the KNEA study, nor the recommendations of the Kansas State Board of Education. The Legislature contracted with the consulting firm of Augenblick and Myers to conduct a cost study for a suitable education in Kansas. They found a shortfall of between \$800 million to \$1 billion using two different models of analysis.

10-7

Courts mandated that the Legislature act to remedy this problem. The recent plan to increase the investment in public education fell significantly short of the amount recommended by Augenblick & Myers.⁴ Increases were also spread over three years with no adjustment for the impact of inflation, thus further exacerbating the shortfall. Other districts and states that have implemented plans to raise teacher salaries have seen those plans succeed or fail over time based on their commitment to fully funding and maintenance of funding over time.

In order to appropriately fund Kansas public schools, a minimum of \$800 million adjusted for inflation (minus one year of funds infusion that exceeded inflation) is needed. This is the amount needed to achieve both increases in salaries and ensure access to a 21st century education for every public school student.⁵

A stable commitment of local funding – School districts also have a responsibility to provide an appropriate level of compensation to all employees. New compensation structures require teachers to begin to think differently about how they are paid. It is also appropriate that districts think differently about what portion of their available funds should be allocated to attract and retain a highly qualified teaching staff. The most notable recent case in point is the contingency of the Denver Public Schools plan on voters' willingness to increase taxes to pay for their compensation plan.

Infrastructure to support all aspects of a new compensation system must be in place – Resources to provide rewards are critical but not sufficient to guarantee successful implementation of a new compensation system. Additional resources such as personnel time and expertise will be needed to administer a plan. For example, if a system relies on teacher development of portfolios and observations to determine placement on a career ladder using Charlotte Danielson's rubrics, the system must have 1) persons with time and training as evaluators, 2) a system to ensure inter-rater reliability, 3) record-keeping systems, 4) training for all staff to familiarize them with the criteria and 5) expectations of the career ladder, etc. While it is understood that expertise will be developed and enhanced over time, some degree of readiness must be achieved at the beginning of implementation or a dismal failure will result. Teacher evaluation systems typically are designed with sufficient refinement to assist in making employment decisions but not with the precision to distinguish between levels of acceptable teacher performance. For this reason, the committee addresses teacher evaluation more extensively in a later portion of this report.

District-Union Relations – New compensation structures can only result from monies (possibly new monies) being directed to criteria other than the experience and degrees of the single salary schedule. There must be a spirit of trust in the district that alternative compensation is not a shell game to decrease employee costs to the district. There must be trust that the system for determining eligibility for additional compensation is reliable, fair, and congruent with the values of the persons who work in the district. Some have recommended that implementation of a strong interest-based problem solving mechanism between district and union should be a prerequisite for such plans. United School Administrators and Kansas National Education Association jointly provide training and facilitation for such culture-building systems.

⁴ Augenblick, J., Myers, J., Silverstein, J., Barkis, A. (2002). Calculation of the Cost of a Suitable Education in Kansas in 2000-2001 Using Two Different Analytical Approaches.

⁵ For additional information on tax structures necessary to fund both public education and other public services, see Sims, R. (2004). School Funding, Taxes, and Economic Growth: An Analysis of the 50 States. <http://www.nea.org/edstats/images/schoolfunding.pdf>.

A supermajority of teachers must express acceptance for a change in compensation structures –

Teacher approval or acceptance is lynchpins of success or failure of new compensation systems across the country. Administrators must also have confidence that the new plan can be implemented fairly and that they will have necessary resources to oversee the plan. The system must, therefore, be both collaboratively developed and collaboratively implemented. Also, approval as part of the negotiated agreement is a given. Numerous studies have noted that a mere majority approval for significant changes in compensation structures is not enough. For a plan to be successful, it needs approval by some super-majority of the bargaining unit. Some locals have required two-thirds, 75%, or even up to an 80% approval vote.

A transition from current systems to new systems must be available to ensure veteran and new staff are all treated fairly –

A change from one pay system to another requires a plan for transition. One cannot expect buy-in if some employees have his/her salary reduced as a result of a change to a new system or addition of new elements to an existing system. Current employees achieved their current status by complying with the demands of the current system and should not be penalized for working within the structures and values of the old system. Whether a “grandfather” option is utilized, a phase-in period is incorporated in the plan, or the new compensation system results from new monies or an increased portion of district funds being applied to salaries, some provision must be made to protect the financial well-being of all.

Student data should not be used to determine individual compensation, but may be ONE appropriate criterion among multiple measures for determining a “group reward” –

Recent findings from statewide performance pay systems at the state level demonstrate the difficult nature of basing individual teacher pay on measures of student achievement. The RAND (2007) Corporation noted that teachers widely believed that the individual bonus system implemented statewide in Florida had serious negative effects on collaboration as individuals were put in competition for compensation rewards. RAND also utilized multiple models to measure teacher impact and found that varied statistical models generated significantly different results in identifying who the “better” teachers were. In addition, just as it is academically indefensible to measure student learning based on a single test, high-stakes decisions about compensation should also not be based on oversimplified achievement measures.

Individual performance pay is most problematic since the statistical calculations to determine “teacher influence” is subject to error and to the impact of the statistical formula. Combined with the negative impact of competition between teachers, we recommend that any system that links compensation or bonuses to achievement should only be implemented when linked to group (grade level, department, school, for example) goals. Performance incentives should allow for choice in setting goals that either rely on attaining a performance standard or attaining an agreed-upon level of progress towards a level of student performance. These goals should be perceived as attainable (In Douglas County, CO, for example, approximately 90% of the groups pursuing a performance incentive were successful). Other cautions regarding the appropriate use of data (e.g. student privacy) should also apply.

Additional compensation elements must be sufficiently large to justify the time, effort, and risks involved in pursuing them –

A system that provides increased compensation for new and different criteria will likely not work unless the amount of the additional compensation is sufficiently large to demonstrate that the district and union place value on the new and different work or measurements of performance that are part of the plan.

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New systems should provide employees with choices about which aspects of compensation they wish to pursue – Employees should have the opportunity to decide if they wish to participate in “individual” elements of an alternative compensation plan. If the appropriate super-majority of a group determines to participate in a group reward, all members of that group are bound by that agreement (just as all members of the bargaining unit are subject to the terms of the negotiated agreement even if they did not support its ratification. There should be no professional stigma if any person chooses not to pursue individual elements of alternative compensation. A desirable feature of many pay systems is multiple forms of alternative compensation or multiple criteria for achieving an incentive. Creation of options within a plan should be considered as the compensation system is designed.

Professional development must be provided so those that administer a new system have the knowledge and skills to do so – An adequate system of support to help each employee must be an integral part of any alternative compensation system. The plan must address both the desired teacher skills and the skills necessary to administer the compensation system. The professional development system should empower individual employees and develop the capacity of schools and the district as a whole. Principles of effective staff development are well established (e.g. ongoing, job-embedded) and must be inherent components of the district’s professional development plan.

Characteristics of reward criteria must be understood by employees compensated in the new system – Employees must be able to understand the system. Complicated statistical formulas that require advanced mathematics to justify are probably not appropriate since the complexity will call into question the validity and/or reliability. Criteria for determining additional compensation must be quantifiable, reliably measurable, and validly related to the intended values of the system.

An appeal process must provide assurances of an objective, fair determination of compensation – Systems in which potentially subjective evaluation are used as criteria for determining levels of compensation need a mechanism to allow employees to experience the system as fair. An appeals process for evaluations/assessments, for approval of goals, etc., is essential to maintain this fairness.

Next Steps

Just as transition is a necessary step in the implementation of a new compensation system for a district, transition is a necessary part of an effort to diffuse these new structures across Kansas. For this reason, we recommend that the legislature allocate funding for a cross section of pilot programs in districts representative of the demographics, size, and geography of the state. Proposals should be considered based on the degree to which they reflect the principles embodied in these recommendations. Funding should be sufficient to increase the average teacher compensation for the district in question by the amount necessary to raise the Kansas statewide average teacher salary to the national median.

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Appendix

The following terms are commonly used when discussing compensation systems for educators:

Merit Pay – The typical design of a merit pay plan calls for an individual evaluator to determine which individuals are worthy of additional compensation. In many cases, the evaluator has great latitude in defining what constitutes meritorious conduct. Also, in order to provide budgetary stability, the plans typically include “maximums” limiting the number of teachers who could potentially receive additional compensation. These maximums and procedures suggest two underlying assumptions of merit pay plans: 1) that only a limited number of individuals within the system are worthy of being deemed “meritorious” and 2) that the individual evaluator is the best person to determine criteria and to judge who is worthy.

These plans as described above contain several inherent flaws. They rely on arbitrary standards for merit and the subjective judgment of an evaluator to determine if the employee has met the standards. Merit pay also tends to encourage counter-productive levels of competition among staff. Still another problem typically associated with these plans involves quotas or caps on the number of individuals or percentage of the staff that can receive rewards, even if a greater number of staff members are worthy of the merit incentive. Historically, these plans frequently did not include funding for long-term success or for rewarding all staff worthy of merit pay.

This committee recommends that we avoid Merit Pay plans as they lack the objectivity to satisfy the critical attributes of a compensation system.

Single Salary Schedule – Based on rows representing years of experience and columns representing college hours and/or advanced degrees, the traditional single salary schedule provides an objective and consistent measure to determine salary. In Kansas, many districts also recognize Professional Development Credit points or equivalency credit as a part of the column definitions (in addition to college hours). The system allows any individual to have access (over time) to the highest level of compensation if they choose to plan a career path in that manner.

These structures provide a school district with a great degree of predictability of salary costs. However, the single salary schedule lacks the opportunity for more rapid advancement to the highest level of compensation regardless of the skill or work level of the individual. While the single salary schedule reflects an inherent value for advanced academic study and for professional experience as well as for objectivity and fairness, it lacks recognition for other factors that the system may value. There are also concerns that, for individuals who reach the maximum salary, both the monetary motivation for continued growth and satisfaction with their career diminish.

This committee recommends that the Single Salary Schedule be retained as a portion of an overall compensation structure AND that such schedule be “compacted.”

Career Ladders – The committee considered any plan that established a hierarchy of skill or responsibility to be a career ladder. One example of a career ladder is a system that uses Charlotte Danielson’s teacher performance rubrics to establish a multi-tiered structure of expertise. Some career ladders provide differentiated responsibilities for persons with greater expertise or experience. Such

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responsibilities may have involved curriculum writing, departmental or school leadership, peer assistance or mentoring, etc. in lieu of some teaching responsibilities.

Some career ladders require teachers to maintain portfolios to document their professional expertise; some utilize observation by trained peers as a factor in determining skill levels. Successful plans tend to offer a variety of opportunities to achieve higher career ladder status through measurable, well-defined criteria. When plans rely on leadership roles or committee participation to determine placement on a career ladder, it is important to answer questions such as these:

- Who chooses the leaders or committee membership?
- Who designs, implements, monitors, and revises the career ladder plan?
- Are there terms of office in leadership roles or committee ranks?
- Can a teacher serve multiple terms?
- What are the job expectations of the leader/member?
- If different committees receive differing compensation, which gets more and why?

Extra pay for extra work – Most implementations of the single salary schedule also include some degree of extra pay for extra work. The committee found that districts provide compensation for a wide array of extra responsibilities beyond the school day. Some of these are the same activities that can be found in another district’s career ladder. Other responsibilities focus less on the professional aspects of teaching and provide compensation for such things as hall duty, lunchroom duty, working at school events, etc.

Extra duty pay systems typically do not attempt to approximate an hourly rate conversion of the employee’s contractual rate. There is an inherent assumption that all persons performing extra duty will be equally adept regardless of educational background. Some such plans allow for “years of experience” to translate into higher pay in a similar manner to the single salary schedule.

While there is a basic sense of fairness in providing extra pay for extra work, there are some typical critiques. The fact that the pay rate is not equivalent to the employee’s hourly rate tends to demean the work even if it does require expertise (such as writing curriculum). On the other hand, some argue that “true professionals” would do the ancillary tasks to make a school/district operate without expecting to get paid by the minute. A response to this critique is that few professions expect (and get) the amount of work from their employees outside contractual time. Statistics reveal that teachers put in far more hours at work in their contract year than most other professions in a 12-month period and teachers have responsibilities during summer months (such as for their own professional growth) that generate little or no additional compensation.

Knowledge and/or Skill – These plans provide additional compensation to individuals who demonstrate a specific knowledge base or set of skills that they can apply in the classroom. One of the most prevalent systems recognizing knowledge and skill is bonus payment for persons holding National Board Certification. This certification represents a careful, reliable evaluation of a discrete skill set specifically related to the responsibilities of teaching. Other systems include bonuses for demonstrated knowledge or skill with particular classroom technology or for a particular teaching technique.

Inherent in such plans is a desire both to recognize persons who are able to enhance their teaching through application of the desired knowledge/skill and to encourage other staff members to develop the knowledge/skill. In the ideal implementation, these plans allow for school districts and locals to

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agree upon desired knowledge/skills that they wish to encourage among staff. Reliable, valid measures of the knowledge/skill must also be identified. The plans may come in the form of a one-time bonus when the knowledge/ skill is demonstrated or may be available for a number of years (such as each year for the life of the National Board Certification). These plans may also identify knowledge/skills that add to the capacity of a school to achieve its goals. For example, group facilitation skills may be a valuable resource to a building as it sets goals, and additional compensation to individuals possessing that skill may be included in these plans in addition to skills related to teaching.

Some identify the lack of recognition for broader educational and professional knowledge in favor of targeted skills as a limitation/weakness of these plans. Unless new monies become available to supplement the single salary schedule, there is also the criticism that teachers who invested in the kinds of learning valued by the system (degrees and hours) lose income to others given a different set of rules by which to play unless a dual system is operated as a transition or "grandfathering" provision.

Pay for Performance – Pay for performance, as used by the committee, refers to any system that provides compensation based on measures of student performance. The committee classified systems that measured teacher performance without consideration for student performance as either the pay for knowledge and skills categories (e.g. teacher performance being demonstrated by some teacher assessment process) or merit pay (teacher performance being determined by the judgment of an evaluator).

There are two types of performance rewards – *individual rewards* and *group rewards*.

Individual Rewards – Individual rewards provide additional compensation or recognition to an individual based on the performance of that individual's students on one or more measures. If student performance reaches some benchmark, or if student growth/improvement reaches some predetermined level, the teacher is eligible for the reward. Some systems allow for individual teachers to propose improvement or performance goals to some overseeing committee for approval prior to the beginning of a term or school year. Other systems have preset goals. The most complicated of these plans utilizes statistical analysis to determine the degree to which the teacher was responsible for student growth and the degree to which student growth might be attributed to other factors (such as socio-economic status, previous academic performance, etc.) These plans are based on the assumption that an individual teacher's contribution to the performance of his/her students can be quantified. They are also based on a desire to recognize teachers whose students perform the best on some academic measures. The plans do not recognize the influence of the entire school on the growth of a student. For example, mathematics achievement is deemed to be the result of good math teaching with little regard for how science teachers may use applied mathematics or other types of integrated projects across curricular areas.

Serious concerns have been raised about individual reward systems. For example, there is a concern that collaboration and teamwork essential for achieving school-wide goals may be diminished unless the individual rewards plan incorporates some collaboration factor. This decreased spirit of teamwork is most likely if there are limited rewards and teachers are in competition to receive those rewards. A second concern is that measuring the effect of one teacher on the performance of students aside from all other factors is extremely difficult (if it is truly possible). Plans that attempt to statistically account for teacher effect tend to become highly complex and lack understandability.

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Group Rewards – Group rewards are based on the assumption that a larger group of staff members contribute to the performance of individual students other than their specific teacher for a particular subject in a particular year. Teams may consist of a whole school, a particular grade level, a particular department within a school, or even a department across several schools. As with individual rewards, goals for either achievement or for improvement are set and approved in advance and all members of the contributing group receive some portion of the reward if the goal is met. Group rewards are based on the assumption that a whole school staff can work collaboratively to improve student performance regardless of whose class the student is in. Some group reward systems provide rewards to non-teaching staff (custodians, secretaries, etc.) for their contribution to school climate and accommodating student needs.

One concern expressed about group rewards is that some individuals will not work hard, believing that the group's effort will carry them. Experience from the private sector would indicate that this concern is unfounded. Measuring student performance is still a challenge in group rewards systems, but the larger size of the student population being measured and the inclusion of additional system-wide influences is likely to increase the reliability of the measures.

In both individual and group rewards, there is an assumption that quality teaching can make a difference to overcome student characteristics and external environmental influences. As stated above, one of the greatest difficulties in performance reward systems is to determine:

- a) What student outcomes (if achieved) are worthy of a bonus being paid to the staff?
- b) How can student performance reliably and validly be measured on the desired outcomes?
- c) How can the teacher's or school's influence on student outcomes be reliably calculated?

Market Based Pay – Teacher shortages may be viewed simply as an issue of supply and demand or may be expanded to consider a "quality" issue as well. There are two approaches to dealing with teacher shortages. One approach is for individual districts to raise salaries or offer bonuses to attract desirable candidates away from other districts. A second approach is for state governments to take action to increase the resources for all districts, in some cases targeted specifically to teacher salaries. There are also two different problems that may be addressed by market based pay plans. These plans are frequently used to attract teachers of subjects (e.g. science) or with special skills (e.g. bilingual) where limited supply exists. A second purpose of market based plans may be to attempt to increase compensation for all subject areas to address teacher shortages as a broader concern than simply for certain subject areas.

Some make the assumption about the district-by-district approach that all districts already have adequate resources and competition will ensue to cause all to raise salaries. This idea also assumes that current salaries and competition are able to attract sufficient numbers of new teachers to the profession in limited supply fields. Thus far, we continue to see an inadequate supply of teachers in certain fields, competition among districts, and the inability of districts to raise salaries or provide bonuses to change the enrollment patterns in schools of education. Districts that have experimented with increased compensation for teachers in short supply have used bonuses, forgiveness of loans, assistance with housing, and credit for all years of experience on a single salary schedule (while placing limits on other experienced new hires). In some cases, the district provides the bonus on a one-time basis to all current employees (as well as new employees, when hired) when a shortage area is identified.

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States have also attempted to address the shortage issue in a variety of systems. Some states have increased statewide compensation for teachers. Other states have lessened requirements for entry into the teaching profession. It appears that the former assumes a need for greater compensation is necessary to attract and retain qualified teachers while the latter assumes that less qualified persons can succeed and that persons with less preparation or skill can make up the gaps without appreciably raising salaries.

Several major concerns have been expressed regarding certain market based compensation strategies. First, a market approach that provides additional compensation to certain teachers based on the subject matter they teach is contrary to the spirit of equality and opportunity often held by people who pursue education as a career. Paying teachers different amounts based on the subject matter they teach may imply an inherently lower worth on certain subjects we expect students to learn. It would also be naïve to assume that resentment would not occur if colleagues were compensated differently for essentially the same work, academic training, and responsibility. An unintended side effect may also be a decrease in the spirit of collaboration necessary for a culture of "learning community" within schools. In some instances, there is fear that the market approach may have already led to exorbitant bonuses for coaches with winning extracurricular records while neglecting the academic purpose of schools.

The effect of the district-level incentive approach is that districts with more abundant resources are more likely to have qualified teachers in every classroom while districts with fewer resources or less desirable environmental factors may have to hire teachers with less experience or inadequate preparation or skill.

The committee believes that scholarships, loan forgiveness, and other such strategies are appropriate ways to attract new teachers to hard-to-fill content areas. Support for current teachers wishing to become licensed in an area of shortage is also appropriate. Once teachers have entered the profession, though, the salary system should reward all members of the profession equitably and market approaches should raise the salaries for the profession as a whole to compete with other professions with comparable preparation and responsibilities.

Low Performing School Incentives – Regardless of the salary and benefits available, some schools have a hard time attracting and retaining teachers due to the difficult working conditions. Schools face a variety of problems that cause them to be perceived as "low performing." In some settings parental involvement is minimal; some have high percentages of special needs students; some have students who have had fewer learning resources in their lives; some are in neighborhoods perceived as unsafe; and some schools suffer from economic neglect and physical deterioration. New teachers who succeed in such difficult settings will often move to schools or districts with better facilities or students who come more motivated and ready to learn. Many new teachers do not survive these settings.

The result is that low performing schools tend to see an ongoing procession of beginning teachers and little stability from an ongoing core of experienced master teachers. Some districts have initiated rewards systems for experienced teachers who will choose to work in low performing schools to help them improve student performance. It is recommended that these schools be labeled "high priority" rather than "low performing" and that resources be provided both to attract and retain a quality teaching staff as well as to reduce class size, fix buildings, and provide computers and other instructional materials.

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Alternative Compensation Study Committee Final Report

Committee Members:

Jim Armanderiz.....NEA Manhattan-Ogden
Terry Boyd.....Great Bend NEA
Tom Brungardt.....Junction City NEA
Joy Carroll.....NEA Kansas City, Kansas
Melanie DeMoss.....Olathe NEA
Kathy Flexman.....Blue Valley NEA
Pat Lira.....Santa Fe Trail EA
Alvin Peters.....North Anderson County Teachers' Association
Lee Quisenberry.....Wyandotte United UniServ – Staff Liaison
Sue Rippe.....United Teachers of Wichita
Dana Sprinkle.....Ell Saline NEA
Frank Strada.....Shawnee Mission NEA
Kathy Wagoner.....Hays NEA
Blake West.....KNEA Secretary-Treasurer, Chairperson

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INTRODUCTION

Teacher compensation is a topic of critical interest both within the profession of teaching and the community at large. A teacher shortage looms as a significant proportion of the current teaching force nears retirement in the next 10 years at the same time as enrollments are on the increase. While teacher education programs struggle to attract candidates, the profession struggles to provide adequate support to retain teachers.

State legislatures have sought to provide alternative paths to the teaching profession, at times reducing the requirements for entry to the profession. In contrast, there are calls for increased school accountability and teacher quality from legislatures and the business community. Potential teachers see the diminished status of the profession, the difficulties and increasing challenges of the job, the lack of parental support, and a salary schedule that begins behind other professions requiring similar training and that falls farther behind other professions over a career span.

The prospect of only being able to attain the highest possible compensation in teaching by remaining in the profession and on the same job for twenty years or more is also not enticing to many potential teachers. Many teachers also believe that current salary systems do not adequately recognize their hard work or skills as a teacher. People in other professions considering a change to teaching are reluctant to enter a profession in which they may never be able to achieve the highest levels of recognition and reward without working well past retirement age.

These are a few of the reasons that both boards of education and teacher unions are considering alternatives to the traditional single salary schedule. Kansas NEA initiated its own study of the teacher compensation landscape in the fall of 2000 with the establishment of the Alternative Compensation Committee. The committee reviewed current literature, sent representatives to national conferences on compensation, attended presentations by leaders from districts that have already implemented alternative compensation systems, and discussed the issues, possibilities, and problems associated with alternative compensation. This report summarizes the committee's findings and includes specific recommendations for use by locals investigating or being forced to consider alternative compensation.

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DISCUSSION

After researching a range of systems and programs, the committee determined both the desirable features of various pay plans and the areas for concern. The following section provides definitions of the various systems along with a brief discussion of each. These definitions are important for clarity since not all models that have been developed and implemented use terminology in exactly the same manner. The discussion includes the committee's observations about the strengths and weaknesses of each system and identifies some perceived underlying values or beliefs reflected by each plan.

Merit Pay

The typical design of a merit pay plan calls for an individual evaluator to determine which individuals are worthy of additional compensation. In many cases, the evaluator has great latitude in defining what constitutes meritorious conduct. Also, in order to provide budgetary stability, the plans typically include "maximums" limiting the number of teachers who could potentially receive additional compensation. These maximums and procedures suggest two underlying assumptions of merit pay plans: 1) that only a limited number of individuals within the system are worthy of being deemed "meritorious" and 2) that the individual evaluator is the best person to determine criteria and to judge who is worthy.

These plans as described above contain several inherent flaws. They rely on arbitrary standards for merit and the subjective judgment of an evaluator to determine if the employee has met the standards. Merit pay also tends to encourage counter-productive levels of competition among staff. Still another problem typically associated with these plans involves quotas or caps on the number of individuals or percentage of the staff that can receive rewards, even if a greater number of staff members are worthy of the merit incentive. Historically, these plans frequently did not include funding for long-term success or for rewarding all staff worthy of merit pay.

On the other hand, having the advantage of being easy to administer (if no one challenges the decisions made), merit pay provides very predictable budgeting numbers since it sets caps on how many people can receive any bonus.

Single Salary Schedule

Based on rows representing years of experience and columns representing college hours and/or advanced degrees, the traditional single salary schedule provides an objective and consistent measure to determine salary. In Kansas, many districts also recognize Professional Development Credit points or equivalency credit as a part of the column definitions (in addition to college hours). The system allows any individual to have access (over time) to the highest level of compensation if they choose to plan a career path in that manner. It also provides a school district with a great degree of predictability of salary costs. However, the single salary schedule lacks the opportunity for more rapid advancement to the highest level of compensation regardless of the skill or work level of the individual. While the single salary schedule reflects an inherent value for advanced academic study and for professional experience as well as for objectivity and fairness, it lacks recognition for other factors that the system may value. There

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are also concerns that, for individuals who reach the maximum salary, both the monetary motivation for continued growth and satisfaction with their career diminish.

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- Who chooses the leaders or committee membership?
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professions expect (and get) the amount of work from their employees outside contractual time. Statistics reveal that teachers put in far more hours at work in their contract year than most other professions in a 12-month period and teachers have responsibilities during summer months (such as for their own professional growth) that generate little or no additional compensation.

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Market Based Pay

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States have also attempted to address the shortage issue in a variety of systems. Some states have increased statewide compensation for teachers. Other states have lessened requirements for entry into the teaching profession. It appears that the former assumes a need for greater compensation is necessary to attract and retain qualified teachers while the latter assumes that less qualified persons can succeed and that persons with less preparation or skill can make up the gaps without appreciably raising salaries.

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the subject matter they teach may imply an inherently lower worth on certain subjects we expect students to learn. It would also be naïve to assume that resentment would not occur if colleagues were compensated differently for essentially the same work, academic training, and responsibility. An unintended side effect may also be a decrease in the spirit of collaboration necessary for a culture of “learning community” within schools. In some instances, there is fear that the market approach may have already led to exorbitant bonuses for coaches with winning extracurricular records while neglecting the academic purpose of schools.

The effect of the district-level incentive approach is that districts with more abundant resources are more likely to have qualified teachers in every classroom while districts with fewer resources or less desirable environmental factors may have to hire teachers with less experience or inadequate preparation or skill.

The committee believes that scholarships, loan forgiveness, and other such strategies are appropriate ways to attract new teachers to hard-to-fill content areas. Support for current teachers wishing to become licensed in an area of shortage is also appropriate. Once teachers have entered the profession, though, the salary system should reward all members of the profession equitably and market approaches should raise the salaries for the profession as a whole to compete with other professions with comparable preparation and responsibilities.

Low Performing School Incentives

Regardless of the salary and benefits available, some schools have a hard time attracting and retaining teachers due to the difficult working conditions. Schools face a variety of problems that cause them to be perceived as “low performing.” In some settings parental involvement is minimal; some have high percentages of special needs students; some have students who have had fewer learning resources in their lives; some are in neighborhoods perceived as unsafe; and some schools suffer from economic neglect and physical deterioration. New teachers who succeed in such difficult settings will often move to schools or districts with better facilities or students who come more motivated and ready to learn. Many new teachers do not survive these settings.

The result is that low performing schools tend to see an ongoing procession of beginning teachers and little stability from an ongoing core of experienced master teachers. Some districts have initiated rewards systems for experienced teachers who will choose to work in low performing schools to help them improve student performance. NEA recommends that these schools be labeled “high priority” rather than “low performing” and that resources be provided both to attract and retain a quality teaching staff as well as to reduce class size, fix buildings, and provide computers and other instructional materials.

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CONCLUSIONS

The committee agrees that alternative compensation systems are worth consideration and show promise to offer improvements that are desirable both to members and to school districts and the community at large. While supporting the concept of alternative compensation, the committee also expresses strong opposition to such systems as traditional implementations of "merit pay" – a structure that provides rewards on the basis of arbitrary and subjective judgment of an evaluator. Several principles that apply to any salary structure emerged as the committee considered various forms of alternative compensation.

One thing is certain as demonstrated by recent analysis of compensation for teachers compared to other professions: teachers are underpaid at the beginning of their careers and things only get worse if they remain in teaching. Simply reshuffling existing dollars within current funding levels is a shell game and not a solution to attract and retain quality teachers or to adequately reward those persons already in the profession. Any alternative compensation system should be accompanied by increased funding for salaries. Whether those additional funds are utilized to enhance a current compensation system, to create additional elements for alternative compensation, or to create an entirely new structure for compensation, the decision must be locally bargained and the committee offers several critical elements to be included in any compensation plan.

Plan Critical Elements

State Funding – There is a general lack of adequate funding for public schools in Kansas. While it is true that the average teacher salary in Kansas is higher than the average worker's wages, the average worker in Kansas is not an experienced professional with a master's degree in a field experiencing increasing shortages. We are kidding ourselves if we believe we can maintain a quality system of public education when state funding lags behind inflation, and teacher salaries lag further and further behind professions with comparable qualifications and responsibilities. Districts can provide some levels of additional compensation, but there are inadequate funds to move forcefully in this direction unless state funding is increased significantly.

Local Funding – School districts also have a responsibility to provide an appropriate level of compensation to all employees. Alternative compensation requires members of the bargaining unit to begin to think differently about how they are paid. It is also appropriate that districts think differently about what portion of their available funds should be allocated to attract and retain a highly qualified teaching staff.

Infrastructure – Resources to provide rewards are critical but not sufficient to guarantee a successful alternative compensation implementation. Additional resources such as personnel time and expertise will be needed to administer a plan. For example, if a system relies on teacher development of portfolios and observations to determine placement on a career ladder using Charlotte Danielson's rubrics, the system must have 1) persons with time and training as evaluators, 2) a system to ensure inter-rater reliability, 3) record-keeping systems, 4) training for all staff to familiarize them with the criteria and 5) expectations of the career ladder, etc. While it is understood that expertise will be developed and enhanced over time, some degree of

Alternative Compensation Committee Report

readiness must be achieved at the beginning of implementation or a dismal failure will result. Teacher evaluation systems typically are designed with sufficient refinement to assist in making employment decisions but not with the precision to distinguish between levels of acceptable teacher performance. For this reason, the committee addresses teacher evaluation more extensively in a later portion of this report.

District-Union Relations – Alternative compensation can only result from monies (possibly new monies) being directed to criteria other than the experience and degrees of the single salary schedule. There must be a spirit of trust in the district that alternative compensation is not a shell game to decrease employee costs to the district. There must be trust that the system for determining eligibility for additional compensation is reliable, fair, and congruent with the values of the persons who work in the district.

Member acceptance – The committee believes that any plan needs two types of approval. First, the plan must be collaboratively developed and implemented. Approval as part of the negotiated agreement is a given. A mere majority approval as is required in most places for approval of a negotiated agreement is not enough. For a plan to be successful, it needs approval by some super-majority of the bargaining unit. Some locals have required up to an 80% approval vote

Transitions – A change from one pay scheme to another requires a plan for transition. No employee should have his/her salary reduced as a result of a change to a new system or addition of new elements to an existing system. Current employees achieved their current status by complying with the demands of the current system and should not be penalized for working within the structures and values of the old system. Whether a “grandfather” option is utilized, a phase-in period is incorporated in the plan, or the alternative compensation results from new monies or an increased portion of district funds being applied to salaries, some provision must be made to protect the financial well-being of all.

Use of student data – The committee believes there is an appropriate role for use of student assessment data within certain restrictions. Plans that rely in any part on student assessment data must not be based on a single test or assessment. Individual performance pay is most problematic since the statistical calculations to determine *teacher influence* are much more subject to error than *group influence*. The difficulties in attaining a system that is understandable, clear, reliable, and valid when considering student performance on an individual teacher basis leads the committee to recommend great caution in adopting such plans.

Performance incentives should allow for choice in setting goals that either rely on attaining a performance standard or attaining an agreed-upon level of progress towards a level of student performance. These goals should be perceived as attainable (In Douglas County, CO, for example, approximately 90% of the groups pursuing a performance incentive were successful). Other cautions regarding the appropriate use of data (e.g. student privacy) should also apply.

Adequacy of bonuses – A system that provides increased compensation for new and different criteria will likely not work unless the amount of the “bonus” is sufficiently large to demonstrate that the district and union place value on the new and different work or measurements of performance that are part of the plan.

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Choice – Employees should have the opportunity to decide if they wish to participate in “individual” elements of an alternative compensation plan. If the appropriate super-majority of a group determines to participate in a group reward, all members of that group are bound by that agreement (just as all members of the bargaining unit are subject to the terms of the negotiated agreement even if they did not support its ratification). There should be no professional stigma if any person chooses not to pursue individual elements of alternative compensation. A desirable feature of many pay systems is multiple forms of alternative compensation or multiple criteria for achieving an incentive. Creation of options within a plan should be considered as the compensation system is designed.

Professional Development – An adequate system of support to help each employee must be an integral part of any alternative compensation system. The plan must address both the desired teacher skills and the skills necessary to administer the compensation system. The professional development system should empower individual employees and develop the capacity of schools and the district as a whole. Principles of effective staff development are well established (e.g. ongoing, job-embedded) and must be inherent components of the district’s professional development plan.

Characteristics of reward criteria – Employees must be able to understand the system. Complicated statistical formulas that require advanced mathematics to justify are probably not appropriate since the complexity will call into question the validity and/or reliability. Criteria for determining additional compensation must be quantifiable, reliably measurable, and validly related to the intended values of the system.

Appeal Process – Systems in which potentially subjective evaluation are used as criteria for determining levels of compensation need a mechanism to allow employees to experience the system as fair. An appeals process for evaluations/assessments, for approval of goals, etc., is essential to maintain this fairness.

The role of teacher appraisal/evaluation

Several of the alternative compensation plans studied by the committee make use of the teacher appraisal/evaluation system as a factor in determining compensation. At times, observation of teaching is one of several factors along with such elements as a teacher portfolio in determining placement on a career ladder. In some compensation systems, observation of teaching complements sample teacher work (e.g. lesson plans) and student work as evidence of a teaching technique or skill.

Regardless of how observation of teaching is incorporated into an alternative compensation system, though, teacher evaluation systems that were designed to make employment decisions are not likely to have the precision to determine subtle variations in teacher quality or to measure specific skills. Similarly, evaluators trained for more basic teacher appraisal systems may lack necessary knowledge and skill to implement more complex appraisal systems with reliability.

Alternative Compensation Committee Report

For this reason, the committee strongly believes that any compensation system that uses teacher evaluation should only be implemented after that evaluation system has undergone careful review, appropriate revision, and sufficient testing to gain credibility with teachers for its reliability and validity for purposes of determining placement in a compensation structure. Training of evaluators is critical. Training of staff members being evaluated must also take place so they have a clear understanding of the skills to be observed and the indicators or criteria for successful performance. Some districts have developed cadres of evaluators with teacher input into selection of their evaluator or evaluator-team (if multiple observers are used). An appeals process for evaluations is also common in systems utilizing observation of teachers. A more detailed set of recommendations regarding appropriate teacher evaluation systems has been developed by Kansas NEA and should serve as an additional resource for locals developing compensation systems that make use of teacher observation.

Steps to creation of an alternative compensation plan

Districts considering use of alternative compensation should plan to follow several important steps. Each of these should be accomplished with the full involvement of the Association and through a process of negotiations or consensus building. Member input is critical and communication with members throughout the development of any plan is an ongoing responsibility of the Association. At various points throughout the process, a reading on the level of support of both the Association membership and the Board of Education must be taken. With these ongoing tasks in mind, here are some logical steps to follow:

- Conduct research so Association and district leadership understand alternative compensation systems and the implications of such systems.
- Determine the purposes/goals of the compensation structure.
- Establish criteria for rewards based on agreed-upon goals.
- Determine measures for the criteria that are matched to the goals.
- Establish monetary amounts for the various levels of rewards.
- Determine how the plan will be funded over time.
- Develop an ongoing process to monitor the plan and make adjustments as agreed to by Association and the district.
- Provide a transition path or grandfather provision for current employees to ensure no loss of income.
- Implement the plan with the appropriate monitoring by Association and district.
- Make adjustments as needed.
- Determine if the plan is to be continued after a reasonable period of trial.

Purposes/Goals of Compensation System

An appropriately designed compensation system should provide a professional salary to each employee. Beyond this basic function, there are a variety of purposes underlying the various compensation structures that have been devised. For example, a structure that decreased salaries after an employee has 20 years of experience might be designed with the purpose of encouraging retirements or relocation of experienced staff. Such a purpose would likely be highly objectionable to the Association. Agreement on the purposes of compensation is a critical first

step to reaching agreement on the design of any compensation plan. Some of the purposes of compensation include:

- Reward experience and familiarity with a district
- Reward loyalty to an organization
- Recognize academic achievement
- Provide incentive for specific skill development
- Encourage or reward attainment of district goals
- Recognize more complex work or leadership
- Recognize exemplary performance or skills

If goal attainment is the desired outcome of a compensation structure, the goal must be perceived as attainable and the individual must have a sense of efficacy about achieving the goal.

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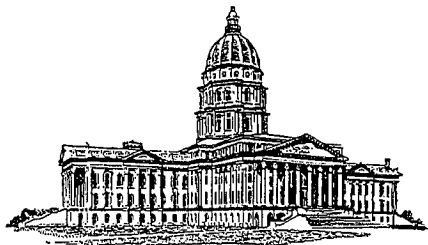
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MARY ANN TORRENCE, ATTORNEY
REVISOR OF STATUTES

JAMES A. WILSON III, ATTORNEY
FIRST ASSISTANT REVISOR

GORDON L. SELF, ATTORNEY
FIRST ASSISTANT REVISOR



OFFICE OF REVISOR OF STATUTES
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Interstate Cooperation
Kansas Statutes Annotated
Editing and Publication
Legislative Information System

TO: 2010 Commission

FROM: Theresa Kiernan, Senior Assistant Revisor of Statutes

RE: Education-Related Legislation

DATE: April 18, 2009

MEMORANDUM

The following is a brief overview of education-related legislation which has been considered by the legislature during the 2009 session. Unless noted otherwise, the bills will be enacted.

School Finance

Enrollment

HB 2001 concerns the enrollment of U.S.D. No. 409, Atchison. The bill provides that in school year 2009-2010, the number of pupils enrolled in the district but housed, maintained and receiving educational services at the youth residential center located on the grounds of the former Atchison juvenile correctional facility shall be deemed to be equal to two times the licensed capacity of the facility. For school years after 2009-2010, each pupil housed, maintained and receiving educational services at the youth residential center would be counted as two pupils.

HB 2002 allows a school district to recompute its general fund budget based on a second count of military students on February 20. To be eligible for a second count, a school district is required to have at least 25 military pupils or military students equal to one percent or more of the district's enrollment on February 20 who were not enrolled on September 20. Districts which are eligible for the second count add the number of military students enrolled on February 20, who were not enrolled on September 20, to the enrollment as determined on September 20 to compute the district's general fund budget.

The 2010 Commission recommended introduction of this bill, but the Commission's recommendation was based on a net count of new military pupils.

Disorganization and Attachment

SB 41 allows a district which is enlarged pursuant to the attachment of territory of a district which has been disorganized under article 73 of chapter 72 to compute its state financial aid under K.S.A. 72-6445a. Under K.S.A. 72-6445a, a district receives the combined state financial aid of the districts prior to disorganization and attachment for up to five years, depending upon the size of the districts prior to the disorganization. The state financial aid of the disorganized district would be apportioned among the districts to which its territory is attached on the basis of the assessed valuation of the territory attached to the enlarged district. Prior law required that the territory of the disorganized district be attached to a single district. *The conference committee report has been adopted by the House and is awaiting action by the Senate.*

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Contingency Reserve Fund

SB 161 concerns the limit on the amount of moneys that a school district may maintain in its contingency reserve fund. For school year 2008-2009 through school year 2011-2012, a district may maintain an amount not exceeding 10% of the general fund budget of the district for the school year. After school year 2011-2012, the limit would return to the current limit of 6% of a district's general fund budget. The limitations would not apply to districts whose state financial aid is computed under K.S.A. 72-6445a or districts with decreasing enrollments; any such district may maintain the excess amount in the contingency reserve fund until the excess amount in the fund is depleted.

Twenty-Mill Property Tax Levy

House Sub for SB 98 amended K.S.A. 72-6431 to extend the statewide twenty-mill property tax levy through school year 2010-2011. The bill also extended the \$20,000 tax exemption on property used for residential purposes for taxable years 2009 and 2010.

State Aid

SB 7 was recommended by the 2010 Commission and would have extended the provisions of K.S.A. 72-64c04 through school year 2012-2013. Under K.S.A. 72-64c04, the total amount of state aid, except for state aid for special education and related services, is required to be increased each school year by not less than a percentage equal to the percentage increase in the CPI (urban) during the preceding fiscal year. The current provision expires on June 30, 2010. *The bill was referred to the Senate Committee on Education; there was no hearing or action on the bill.*

Cash-Basis Law

SB 84 amends the cash-basis law to provide that expenditures by school districts in excess of current revenues are not a violation of the cash-basis law if the shortage in revenues is caused by the late payment of general or supplemental general state aid. *The bill remains in conference.*

Local Option Budget

SB 84 provides an alternative method for calculating the maximum amount of the local option budget which school districts may adopt. A school district may calculate its LOB as if the base state aid per pupil was equal to \$4,433 and that it received state aid for special education and related services equal in amount received in school year 2008-2009. *The second conference committee has agreed to allow the provision to expire on June 30, 2012. The bill remains in conference.*

School Moneys

SB 175 allows local boards of education to transfer moneys derived from gifts or donations to a community foundation. Once transferred, the moneys are required to be deposited into a restricted fund and remain subject to any restrictions imposed by the original donor. Monies distributed from the fund are required to be made for the benefit of the school district or for a specific purpose as directed by the original donor.

SB 39 gives school districts the same investment authority held by cities and counties. School districts may invest public moneys in United States government and agency securities, interest-bearing time deposits and repurchase agreements with maximum maturities of four years. In order to use this investment authority, a district must adopt a written investment policy which has been approved by the Pooled Money Investment Board. Under previous law, districts first must offer their idle funds to local financial institutions and may invest such funds only in temporary notes or no-fund warrants, time deposits, open accounts, certificates of deposit, repurchase agreements and U.S. Treasury bills or notes with maximum maturities of two years.

Epinephrine Administration in Schools

Sub for HB 2008 authorizes any person to administer epinephrine in an emergency situation to a student or a member of a school staff when (1) the person administering the epinephrine reasonably believes that the student or staff member is exhibiting the signs and symptoms of an anaphylactic reaction; (2) a physician has authorized, in writing, the school to maintain a stock supply of epinephrine; and (3) the epinephrine is administered at school, on school property, or at a school-sponsored event. The bill provides an exemption from civil liability to any person who gratuitously and in good faith renders emergency care or treatment through the administration of epinephrine to a student or a member of a school staff at school, on school property, or at a school-sponsored event if the person acts as an ordinary and reasonably prudent person would have acted under the same or similar circumstances.

The bill authorizes any accredited school to maintain an epinephrine kit which may consist of one or more doses of epinephrine. Epinephrine from an epinephrine kit may be used only in emergency situations when the person administering the epinephrine reasonably believes that the signs and symptoms of an anaphylactic reaction are occurring and if administered at school, on school property or at a school-sponsored event. A school could not maintain an epinephrine kit unless the school has consulted with a licensed pharmacist. The pharmacist has supervisory responsibility for maintaining the epinephrine kit and also is responsible for developing procedures, proper control and accountability for the epinephrine kit.

Curriculum

SB 41 amends K.S.A. 72-7535 which concerns courses on personal financial literacy. The bill expands the courses in which personal financial literacy may be incorporated. The bill also requires the state board of education to adopt a glossary of personal financial literacy terms to be used by school districts and to include questions relating to personal financial literacy in the statewide assessments for mathematics or social studies.

SB 41 also directs the state board to designate a period of time in each school year as a time for disability history and awareness and to develop objectives and guideline for disability history and awareness for all grade all grade levels within the existing curriculum for history, social studies or other appropriate subject-matter curriculum.

State Board of Education

Dyslexia

HCR 5015 directs the State Board of Education to take certain actions in relation to children with reading problems, including dyslexia. The resolution directs the State Board to do the following:

Endeavor to ensure that early screening or testing would identify children with a reading disability, including dyslexia;

Endeavor to review partnerships with early childhood educators so that reading diagnostic assessments would be used in pre-kindergarten through second grade;

Endeavor to review the level and pace of implementation of best practices of instruction including, but not limited to, the multi-tier system of support;

Endeavor to review teacher preparation courses to ensure knowledge of best practices of instruction including, but not limited to, the multi-tier system of support and scientifically-based reading instructional components used to instruct children with disabilities including dyslexia, is addressed;

Endeavor to ensure that parents have easy access to information, including contact information for school district, school, and Department of Education officials; and

Submit a report of the activities of the State Board in relation to this resolution to the Legislature on or before December 31, 2009.

School for the Deaf and School for the Blind

SB 290 includes the state board of education within the definition of “board of education” under the professional negotiations act (PNA) when the state board is acting under its authority over the Kansas State School for the Blind and the Kansas State School for the Deaf. As a result of the amendment, teachers at the schools would negotiate under the PNA like all other teachers in the state who choose to bargain collectively.

Teachers

Senate Sub for HB 2072 subjects retirees of KPERS who return to work after retirement as contract employees to the same state policies as other KPERS retirees who return to work as individuals. The bill would require the third-party companies to provide information about the salaries of its contract employees in order for KPERS and participating employers to apply current law regarding salary caps and employer actuarially-assessed contributions. *The conference committee report has been adopted by the Senate and is awaiting action by the House.*

Outdated Statutes

SB 40 repeals K.S.A. 72-9910 and 72-9911 which established the At-Risk Education Council. The Council fulfilled its statutory duties in October of 2006.

SB 41 repeals K.S.A. 72-67,106, 72-8149, 72-8155, 72-8155a, 72-8155b and 72-8155c. These statutes concern the transfers of territory among school districts which have been completed many years ago.

**C-10. AVERAGE SALARIES OF PUBLIC SCHOOL TEACHERS
AS PERCENTAGE OF NATIONAL AVERAGE, 2006-07 (REVISED)**

1.	CALIFORNIA	125.4
2.	CONNECTICUT	119.8
3.	NEW JERSEY	117.4 *
4.	NEW YORK	117.3
5.	DISTRICT OF COLUMBIA	116.2 *
6.	ILLINOIS	114.8
7.	MASSACHUSETTS	114.8
8.	MARYLAND	112.2
9.	RHODE ISLAND	110.2 *
10.	MICHIGAN	109.4
11.	PENNSYLVANIA	108.3 *
12.	ALASKA	107.7
13.	DELAWARE	107.7
14.	HAWAII	102.3
15.	OHIO	102.3 *
16.	OREGON	100.3
	UNITED STATES	100.0 *
17.	WYOMING	99.9
18.	GEORGIA	98.3
19.	MINNESOTA	98.0
20.	WISCONSIN	94.4
21.	WASHINGTON	94.3
22.	INDIANA	94.2
23.	NEW HAMPSHIRE	91.7 *
24.	NORTH CAROLINA	90.9
25.	COLORADO	90.3
26.	VIRGINIA	89.7
27.	FLORIDA	89.3
28.	VERMONT	89.3 *
29.	NEVADA	89.0 *
30.	TEXAS	88.5
31.	ARIZONA	88.1
32.	ARKANSAS	87.2
33.	SOUTH CAROLINA	86.5
34.	TENNESSEE	86.3
35.	KENTUCKY	86.0
36.	ALABAMA	85.5
37.	KANSAS	85.4
38.	IOWA	85.0
39.	LOUISIANA	84.4
40.	IDAHO	84.3 *
41.	NEW MEXICO	84.3
42.	OKLAHOMA	83.5
43.	MAINE	82.9
44.	NEBRASKA	82.8
45.	MISSOURI	82.3
46.	MONTANA	81.2
47.	UTAH	81.1
48.	WEST VIRGINIA	79.9
49.	MISSISSIPPI	79.2
50.	NORTH DAKOTA	76.5
51.	SOUTH DAKOTA	69.7
	MEDIAN	89.7
	RANGE	55.7
	SDEV	13.8
	CV	14.0

Computed from NEA Research Estimates Database (2008).

**C-11. AVERAGE SALARIES OF PUBLIC SCHOOL
TEACHERS, 2007-08 (\$)**

1.	CALIFORNIA	64,424 *
2.	NEW YORK	62,332
3.	CONNECTICUT	61,976
4.	NEW JERSEY	61,277 *
5.	DISTRICT OF COLUMBIA	60,628 *
6.	ILLINOIS	60,474
7.	MASSACHUSETTS	60,471
8.	MARYLAND	60,069 *
9.	RHODE ISLAND	57,168 *
10.	ALASKA	56,758
11.	MICHIGAN	56,096 *
12.	DELAWARE	55,994
13.	PENNSYLVANIA	55,833 *
14.	OHIO	53,410
15.	HAWAII	53,400
16.	WYOMING	53,074
	UNITED STATES	52,308 *
17.	OREGON	51,811
18.	GEORGIA	51,560
19.	MINNESOTA	50,582 *
20.	WASHINGTON	49,884
21.	WISCONSIN	49,051
22.	INDIANA	48,508
23.	NEVADA	47,710
24.	NEW HAMPSHIRE	47,609 *
25.	NORTH CAROLINA	47,354
26.	COLORADO	47,248
27.	KENTUCKY	47,207
28.	LOUISIANA	46,964
29.	FLORIDA	46,930
30.	VIRGINIA	46,796 *
31.	IOWA	46,664
32.	ALABAMA	46,604
33.	VERMONT	46,593 *
34.	TEXAS	46,179
35.	ARKANSAS	45,773 *
36.	ARIZONA	45,772
37.	SOUTH CAROLINA	45,758
38.	KANSAS	45,136
39.	NEW MEXICO	45,112
40.	TENNESSEE	45,030 *
41.	IDAHO	44,099
42.	OKLAHOMA	43,551
43.	MAINE	43,397
44.	MISSOURI	43,206
45.	NEBRASKA	42,885
46.	MONTANA	42,874
47.	WEST VIRGINIA	42,529
48.	MISSISSIPPI	42,403
49.	UTAH	41,615 *
50.	NORTH DAKOTA	40,279
51.	SOUTH DAKOTA	36,674
	MEDIAN	47,248
	RANGE	27,750
	SDEV	6,733
	CV	14

NEA Research Estimates Database (2008).

**C-12. AVERAGE SALARIES OF PUBLIC SCHOOL
TEACHERS AS PERCENTAGE OF NATIONAL AVERAGE, 2007-08**

1.	CALIFORNIA	123.2 *
2.	NEW YORK	119.2
3.	CONNECTICUT	118.5
4.	NEW JERSEY	117.1 *
5.	DISTRICT OF COLUMBIA	115.9 *
6.	ILLINOIS	115.6
7.	MASSACHUSETTS	115.6
8.	MARYLAND	114.8 *
9.	RHODE ISLAND	109.3 *
10.	ALASKA	108.5
11.	MICHIGAN	107.2 *
12.	DELAWARE	107.0
13.	PENNSYLVANIA	106.7 *
14.	HAWAII	102.1
15.	OHIO	102.1
16.	WYOMING	101.5
	UNITED STATES	100.0 *
17.	OREGON	99.0
18.	GEORGIA	98.6
19.	MINNESOTA	96.7 *
20.	WASHINGTON	95.4
21.	WISCONSIN	93.8
22.	INDIANA	92.7
23.	NEVADA	91.2
24.	NEW HAMPSHIRE	91.0 *
25.	NORTH CAROLINA	90.5
26.	COLORADO	90.3
27.	KENTUCKY	90.2
28.	LOUISIANA	89.8
29.	FLORIDA	89.7
30.	VIRGINIA	89.5 *
31.	IOWA	89.2
32.	ALABAMA	89.1
33.	VERMONT	89.1 *
34.	TEXAS	88.3
35.	ARIZONA	87.5
36.	ARKANSAS	87.5 *
37.	SOUTH CAROLINA	87.5
38.	KANSAS	86.3
39.	NEW MEXICO	86.2
40.	TENNESSEE	86.1 *
41.	IDAHO	84.3
42.	OKLAHOMA	83.3
43.	MAINE	83.0
44.	MISSOURI	82.6
45.	MONTANA	82.0
46.	NEBRASKA	82.0
47.	WEST VIRGINIA	81.3
48.	MISSISSIPPI	81.1 *
49.	UTAH	79.6 *
50.	NORTH DAKOTA	77.0
51.	SOUTH DAKOTA	70.1
	MEDIAN	90.3
	RANGE	53.1
	SDEV	12.9
	CV	13.5

Computed from NEA Research Estimates Database (2008).



Making public schools great for every child

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

*Mark Desetti, KNEA
April 17, 2009*

2010 Commission

Alternative Compensation Programs and “Merit Pay”

A number of years ago, teachers came up with the idea of the single salary schedule. This salary schedule was designed to ensure that people doing the same work (teaching) with the same kind of experience (years and training) were appropriately compensated.

Prior to this single salary schedule, school boards had complete control over who got paid what for teaching. In those days male teachers earned more than women; secondary teachers earned more than elementary. Teachers – who hold a fundamental belief in fairness and equity – were among the first employees to demand and get pay equity. While women generally earn less than men doing the same work in America, the same can't be said within the teaching profession.

Historically, Kansas teachers and administrators led the way in establishing salary schedules. Such salary schedules began in Kansas in the 1920s, the first being established collaboratively by a teacher leader and superintendent. Fortunately, this history was preserved in a book marking the centennial celebration of the Kansas State Teachers Association (KSTA) in 1963.

“Prior to 1946, ‘Salary Schedule’ was almost an unknown term in Kansas. However, early in the 20s when F.L. Schlagle was a classroom teacher in Kansas City, Kansas, he and Supt. M.E. Pearson spearheaded a local movement which established the first teacher salary schedule in Kansas to stand the test of time. The schedule lived through the recession of the early 30s by establishing orderly retrenchment and then orderly recovery. The teachers of that city systematically rode the economic cycle down, and then up, with the salary schedule. In most other places in the state, salaries were frozen at the low point, and teachers were employed with a market place approach with little if any difference in compensation between beginning and career teachers.

In 1946, at the Chautauqua (N.Y.) Conference which was devoted to the problem of qualified teacher supply, the NEA proposed a minimum salary for the beginning degree teacher of \$2,400 a year. This suggestion was carried forward by some leaders in Kansas and the Zone Schools that fall recommended that the KSTA move to promote professional salary schedules adopted by local school systems through the force of professional and public opinion.”¹

Also in 1946, the KSTA Board made provision for a Salary Schedule Committee “which was to have a balance between classroom teachers and administrators.”²

¹ Wright, C.O., 100 Years in Kansas Education, Kansas State Teachers Association, Topeka, 1964, p167.

² Ibid.

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"The first suggested KSTA salary schedule was announced March 15, 1947, with \$2,400 as the beginning salary, advancing to \$3,600 in 12 years. Thousands of Kansas teachers and citizens thought these figures were 'wild', visionary and impossible of attainment. In 1950, the committee recommended the schedule be improved to a one-to-two ration starting with \$2,400 to be advanced to \$4,800 in 15 years. By 1963, the recommended salary schedule had progressively risen to \$5,000 for the beginning bachelor's degree teacher and \$5,500 for the master's degree teacher, with steps to \$6,500 for the bachelor's and \$10,000 for the master's degree. The average salary of Kansas teachers and administrators in 1946 was \$1,833, and in 1963, \$5,518, reflecting significant work of the committee over the years."³

Bonuses or differential pay systems imposed on teachers represent a return to the days of inequity and unfair treatment. Teachers will object to such a system and, as a result, the system will fail.

Teachers can, and often do, accept pay differentials but they do so on their own terms. When a pay differential is crafted through the negotiations process where teachers have the ability to craft the system, the likelihood of success increases significantly.

One of most touted differential pay scales is that of the Denver, Colorado Public Schools. There are several things to note about the Denver plan.

- The plan was an initiative of the Denver Classroom Teachers Association, an NEA affiliate.
- The plan was based on one negotiated years earlier in the Loveland, Colorado schools. That plan is still in place.
- There was widespread teacher support for the plan. It took an 80% affirmative vote of the teachers in a building for that building to pilot the proposed system.
- The plan does not replace the single salary schedule and additional pay is available to every teacher who qualifies. Teachers know the fairness factor has been met and that all of them have a shot at the additional pay.
- The plan is not funded out of existing resources – limiting all teachers' salaries to provide additional funds for some. A special sales tax measure was passed by the citizens of Denver to support the plan.

Collaboration or competition?

Schools are called "school systems" for a reason. In a system, no one part is ever greater than the sum of the whole. If pre-school and kindergarten teachers don't prepare children for the primary grades, those children will struggle to read. If elementary teachers don't effectively teach reading, those children will not be capable of reading complex mathematics problems or historical articles. The chain goes on. Music teachers develop in children skills that complement learning mathematics; art teachers develop in children an appreciation for different historical eras.

Pay systems that reward individual teachers based on student performance ignore the contributions of other teachers to the success of those students. Systems that use student assessment results automatically discount the teacher whose subject or grade level is not assessed – music teachers, kindergarten teachers, or civics teachers, for example.

Such systems – particularly those that limit the availability of rewards – foster competition among and between teachers rather than collaboration for the success of the whole system. When the entire staff of the system focus collaboratively on the success of every student, the whole system benefits. Assessments are not the sole responsibility of the teachers that teach the assessed subject or grade; they are the collective responsibility of all the employees of a school or school district.

³ Ibid, p 168.

Any alternative compensation plan – indeed any compensation plan – must foster collaboration and collective responsibility, not competition.

The trouble with bonuses

The pay differential plan most often discussed here in Kansas is one in which the state would provide bonuses for teachers in shortage areas – usually math, science, and special education – as an incentive to recruitment. This proposal is wrong on a number of levels. First and foremost is the fact that every analysis of teacher salaries shows that Kansas teachers are woefully underpaid when compared to their peers in other states. This holds true even when adjusted for the regional cost of living. The State Department of Education has suggested that Kansas should embark on an effort to boost Kansas teacher salaries to the median of the states (a figure that is lower than the average of the states). Bonuses for a few in the context of inadequate salaries for all are simply wrong.

Bonuses for teachers because they are in a shortage area do not solve the underlying problem of finding more people in that area to enter into teaching. This is a band aid approach to a perceived teacher shortage. While a bonus might help one district recruit a shortage teacher away from a neighboring district, it will not help an isolated rural district recruit such a teacher. Attracting teachers into rural schools will take much more than a \$1000 bonus. And the bonus in the eyes of a college graduate looking at an average salary of \$73,239 for a private sector biologist versus the average Kansas teacher salary of \$43,331 will not be persuasive.

Providing a bonus for teachers based on a determination of who is in shortage ignores the fact that education is a “system.” Schools are charged with developing well-rounded young adults prepared for whatever experiences they choose to pursue after high school graduation. One teacher in isolation is not more or less responsible for the development of those children. The success of a student is not due to the impact solely of the math teacher who might be getting a bonus but also to the kindergarten teacher or music teacher who would not be eligible for a bonus. Each and every teacher bears some responsibility for the success of a school, a district, and a child. The educational process must be viewed as a system because we want graduates who can read, write, and calculate but can also appreciate the arts, exercise their rights of citizenship, and keep themselves physically fit.

Finally the bonus idea as proposed is ***doing to*** teachers not ***working with*** teachers. Why is it that such proposals don't consider whether or not the teachers would support them? Yes, those teachers who get the bonus will support it – every teacher needs more pay. If a bonus is the right idea for a district then let that district negotiate the bonus with their teachers. We have a collective bargaining act so that teachers and school boards can work together to craft solutions to local issues. There can be only one reason to skirt that process – the proponents of an idea know that their concept lacks merit or cannot be defended.

Returning Kansas to the days of teacher pay based on whim and fancy is unacceptable.



The last “merit pay” incentive program considered by the Legislature

On February 29, 2008, the House of Representatives defeated HB 2870. KNEA strongly opposed this bill and our members – the teachers who work every day with our children – let their Representatives know how they felt.

I would like to take this opportunity to explain KNEA’s rationale for opposition to HB 2870 and then to propose a better approach to addressing the teacher shortage not just in math and science, but in all areas. The teacher shortage may be most urgent today in math, science, and special education, but if the conditions under which we recruit and retain teachers do not change dramatically, we will soon experience a similar shortage on every level, in every subject, in every district.

What was wrong with HB 2870?

HB 2870 proposed giving bonuses to math and science teachers. We felt that this would be a counterproductive approach for a number of reasons.

- First, Kansas has a general teacher shortage, not just a math and science teacher shortage. While the problem has received much greater press in the math and science fields, it is spread over the entire profession. It is not just a “subject specific” problem. It is a geographic problem and it is a district problem.
- Teaching is a collaborative effort. No one teacher is responsible for the success of a student. Instead, teachers view their own efforts as one part of a system. A child can only be successful in science if reading teachers have prepared him/her to comprehend the text. A high school math teacher cannot be considered successful apart from the hard work of a series of elementary teachers who laid a foundation in mathematics for all students. Bonuses such as those in HB 2870 only sow resentment among the other teachers, each of whom bears some responsibility for the success of the students under the care of the bonus recipient. This type of bonus also tends to work against school improvement that grows from team teaching, interdisciplinary work, and collaboration.

“...merit pay plans usually require individual teachers to compete against each other for a limited pool of funds. Such competition among teachers works against the collaborative culture found in most highly successful schools and thus is at odds with strategies to improve school performance.”

- The solution proposed in HB 2870 – a 5% bonus for math and science teachers – would not address the problem in recruitment of those teachers. Chairman Aurand asked Legislative Research staff to review the issue of incentive pay. Prior to hearing the bill, staff told the Committee that, based on a review of research by several experts in this field, it was determined that incentive pay in education does not work unless the incentives are very large.

- HB 2870 was a deliberate attempt to undermine collective bargaining. As written originally, the bill specifically prohibited the bargaining of bonuses, incentive pay, and alternative pay structures. The bill provided a carrot – the state grant program – for districts that circumvented collective bargaining to provide bonuses for math and science teachers. Again, the research on bonuses done unilaterally by either the local board or the state is clear. They don't work unless your goal is to sow discord among the teaching ranks. As was cited in a recent Education Week story:

"Teacher involvement in developing and implementing these programs is essential. Those districts that choose to go behind closed doors and implement programs found they didn't work very well," Ms. Koppich said, noting the importance of bringing teachers' unions on board while considering such plans.

- The bill was amended to put bonuses on the "permissive" bargaining list but experience shows that school districts rarely bargain those things on the permissive list. It allows the Association to ask to bargain something but the district can simply say no and do whatever it likes. We hold that all wages and benefits should be mandatorily negotiable.
- The bonuses in HB 2870 were merely a reshuffling of existing resources. This means that every dollar put in the pockets of math and science teachers would represent a dollar taken out of the pockets of other teachers. This proposal would have had no impact on the average teacher salary in Kansas. It would simply have shifted money around.

Isn't KNEA opposed to changing salary structures?

Kansas NEA does not oppose differential pay, bonuses, or alternative pay structures. We believe, however, that teachers should be crafting such plans. This is another area where the experts in such policies agree with KNEA. Alan Odden, considered the nation's foremost expert on alternative pay structures, has maintained that any such programs should be crafted with the local teachers association and never imposed upon it.

Allan Odden and Carolyn Kelley, in their article Reinventing Teacher Compensation Systems, recognize 10 key process principles important for the successful development, design, and implementation of alternative compensation systems. Say Kelley and Odden:

"Involvement of all key parties and especially those whose compensation is being affected, is the preeminent principle for successfully changing compensation policies. Teacher unions, administrators, school boards and the public all should be centrally involved in the process of development, design and implementation."ⁱⁱ

Business agrees. In their paper on teacher incentive pay, the Business Round Table, states that ***"Successful pay-for-performance proposals ensure that teachers, administrators, elected officials, and union representatives participate in the development of the plan from the very beginning."***ⁱⁱⁱ The Business Roundtable goes on to recommend the following:

"To help ensure buy-in at all levels for a pay-for-performance plan, business leaders should insist that plans are developed in conjunction with, rather than for, teachers. Business leaders should point out that in business, effective compensation plans are developed in partnership with employees."^{iv}

Here in Kansas, far too many policy makers seem to believe that imposition is better than negotiation.

If we can't impose pay differentials, how can we address the teacher shortage?

The teacher shortage is the result of a number of policies and issues. Salary is one of those issues. When it comes to salary, there are certain facts that the education community agrees upon. You have heard many of these facts from Deputy Commissioner of Education Dale Dennis.

- Kansas beginning teacher salaries are competitive with other states. Beginning teacher salaries rank 6th in the nation. Kansas beginning teacher salaries are not, however, competitive with comparable wages for beginners in other careers.
- Salaries for veteran teachers are not competitive. The average teacher salary in Kansas ranks 37th in the nation. The longer one teaches in Kansas, the less competitive the salary becomes.
- In a new comparable wage study conducted for Education Week, Kansas teachers are shown to earn 86 cents for every dollar earned in comparable jobs in Kansas. These comparable jobs are not physicians and attorneys; they are accountants, clergy, and insurance adjusters. Kansas teachers are 14th from the bottom in comparable wages.
- As a result, college students selecting a major often recognize the long term financial impact on their earnings and their family's well being, opting for other careers. Dedicated and altruistic individuals are highly desirable employees in all fields. As a result, college students who complete teacher training, regardless of content area or grade level, are recruited into other careers that are more lucrative and don't demand the same commitment to extended work hours and to spending out of pocket to buy supplies for classrooms and for students in need.

Other issues also contribute to the teacher shortage. KNEA believes that addressing the teacher shortage cannot be done by handing out band aids. Instead, we must take a comprehensive approach to addressing the problem. Such an approach would include a number of initiatives.

- We must address the pipeline into the profession. The state should endeavor to support middle school and high school future teachers organizations and to maximize funding for teacher scholarship programs at the post-secondary level.
- We must address the support of students in teacher training programs. Exemplary programs in selected urban districts across the country demonstrate that reducing or eliminating tuition while also providing a stipend during a year of extensive field experience can attract far more candidates to the profession than the number of openings AND increase retention to over 90% over five years, (KNEA leadership is currently part of a select national panel studying these programs through the National Council for Accreditation of Teacher Education.) In addition to financial support and stronger field experiences, attention should be given to improved candidate counseling. Our teacher preparation programs should be advising students on job issues. Candidates should have up to date information on what jobs are available and how to move to a program that will meet the needs of the state as well as the needs of the candidate.
- The state should also support grow-your-own programs that take paraprofessionals already in our schools and find creative ways to support their transition to teaching.
- We must address the first years of a teaching career systemically for all new teachers. We know that a large percentage of new teachers leave the profession in the first three to five years of teaching. We also know that comprehensive and intensive induction and mentoring programs make a real difference in the success of new teachers and in the reduction of the attrition rate. Yet, the state does not fully fund the teacher mentoring program.
- We must address continuing professional development. Professional development helps teachers stay "fresh." It keeps teachers enthusiastic about the job and encourages them to try new

approaches. Professional development helps teachers deal with changing student demographics. Further, professional development is at the heart of helping teachers address the increasing demands of 21st century skills and connecting learning to community and career. Yet, like mentoring, the Legislature does not fully fund the professional development formula.

- We must also address the abuse to which teachers are subjected. It is sad that so many policy makers seem to relish the opportunity to blame yet another societal ill on our schools and our teachers. There seems to be nothing wrong with attacking teachers as lazy or uncaring or to imply that they promote pornography in the classroom when it comes time for a floor speech or a committee speech. Is it any wonder that young people, who have grown up with newspaper reports of failing schools and statements like "those who can't, teach" should want to choose a different career path? It's time for the state to take a positive attitude toward teachers and teaching. The state needs legislators who will take on those within their own ranks who want to use teachers as society's whipping boy.

Kansas NEA has addressed these initiatives in detail in our white paper, Great Teachers for 21st Century Schools: a realistic plan to address the recruitment and retention of teachers. I have included a copy of that paper for your information. I encourage you to read it and to consider it in your discussions of how to address the teacher shortage in Kansas for today and for the future.

What should be the lesson of HB 2870?

We sincerely hope that there are some important lessons in this discussion.

First, we want to make it clear that teachers in Kansas are tired of being relegated to the back benches when it comes to creating policy for the profession. Why would anyone think it appropriate that the crafting of legislation dealing with the teaching profession be done without the teachers in the room? Our members are not interested in being treated like naughty children being told to eat their spinach because Father says it's good.

Teachers are not the problem. We are not driving people out of the profession. Instead low salaries, a lack of benefits, a lack of support from school boards and some administrators are driving people out. The Teacher Working Conditions Study conducted in 2006 and repeated in 2008 has plenty of information on what kinds of things would make teachers feel better about teaching. Chief among them is empowerment. Teachers are far too often left completely out of the decision making process at their schools and in their districts. The way in which HB 2870 was written and acted on deliberately left teachers out.

KNEA is more than willing to come to the table. But we will no longer allow teachers to be sidelined and ignored when decisions are made about their wages, their careers, and their profession.

ⁱ Kelley, Carolyn and Odden, Allan, Reinventing Teacher Compensation Systems, Consortium for Policy Research in Education, September 1995.

ⁱⁱ Ibid

ⁱⁱⁱ Pay-For-Performance in Education: An Issue Brief for Business Leaders, The Business Roundtable, The National Alliance of Business, p 6.

^{iv} Ibid

Great Teachers for 21st Century Schools:

*A realistic plan to address the recruitment
and retention of teachers*



Kansas National Education Association
715 SW 10th Avenue
Topeka, KS 66612
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Attachment 14

For more information about this report, contact...

Blake West, Ed.D.

Sherri Yourdon

Wade Anderson, Ph.D.

Mark Desetti

Peg Dunlap

Terry Forsyth

KNEA President

KNEA Vice President

KNEA Director of Research and Negotiations

KNEA Director of Legislative Advocacy

KNEA Director of Instructional Advocacy

KNEA Director of Governmental Relations

715 SW 10th Ave.

Topeka, Kansas 66612

(785) 232-8271

(785) 232-6012 (FAX)

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Executive Summary

A growing teacher shortage has put at risk the right of every Kansas student to attend a great public school. Kansas public schools have traditionally possessed a key element of great schools for every child: a caring, competent, and qualified teacher in every classroom.

The retirement of a generation of educators, though, is occurring precisely at a moment when a range of policy decisions have made recruitment and retention into teaching particularly challenging. In the heat of the current debate, a range of proposals to "fix" the impending shortage have been put forward. Some have great merit while others are likely to weaken the quality of schools and exacerbate the shortage.

The report "*Great Teachers for 21st Century Schools: A realistic plan to address the recruitment and retention of teachers*" provides the background to understand deep systemic causes for a growing shortage of teachers – a shortage that transcends geography, "hard to staff schools", and traditional "shortage areas." Achieving significant improvement in the supply of caring, competent teachers for our schools in coming years requires that we work strategically to address the underlying causes that have created the shortage in the first place.

This Executive Summary provides a short description of the causes, an outline of a strategic plan of intervention, and a short list of specific actions that should be taken. Readers are encouraged to explore more deeply by referencing the full report.

The Problem

For many years, Kansans have heard from other parts of the country about increasing numbers of teaching positions being filled by persons with emergency credentials or no teaching license at all due to a lack of qualified candidates for vacancies. Thankfully, the number of such vacancies in Kansas has remained quite low... until now.

Data from the Kansas State Department of Education indicated that the number of unfilled vacancies at the beginning of the 2006-2007 school year was at a 5 year high. Schools of Education around Kansas report declining numbers of teacher candidates in preparation programs. And almost 37% of our current teaching force is over 50 years of age, many ready to retire within a few short years.

At times, shortages apply to particular subject areas (e.g. mathematics, science, special education). Sometimes it is the school with difficult working conditions that find their supply of applicants to be inadequate. And increasingly, geography is a factor as rural schools struggle to fill positions when veteran teachers retire.

Systemic Causes

While policy-makers are waking up to the reality of a teacher shortage, they have not necessarily made the connections between causes (including their policy decisions) and effect. Numerous factors have led to the growing challenge of providing well-qualified teachers for every classroom and it is essential to understand cause IF we hope to implement sound strategies to rectify the problem. Major factors that emerge from a careful analysis include:

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- ❖ Opportunities and choices – Career options for women and minorities have expanded tremendously in the last 25 years. Even persons who begin a teaching career can be lured into other fields with increased job mobility in today's work force.
- ❖ Discrimination – Systemic discrimination following court mandated desegregation resulted in schools that had few, if any, teachers of color to serve as role models for youth and to encourage education as a career choice.
- ❖ Teacher Preparation – Attempts to lower the bar for entry into the profession in many other states has increased the failure and "dropout" rate of new teachers. It has also decreased the status of the profession making teaching a less desirable career option.
- ❖ Respect for public education and educators – From reports of failing schools to concerns about school safety, public education is displayed as an undesirable field for potential teachers to enter. Overemphasis on test results has de-professionalized the work causing some to leave teaching.
- ❖ Salary and career earnings – Entering any other profession requiring a Bachelor's degree and comparable preparation will yield \$5,000 to \$10,000 greater starting salaries. By the end of a career the annual differential puts teachers \$40,000 or more behind those other careers.
- ❖ Professional advancement – In addition to lagging salaries, many districts fail to provide meaningful opportunities for teacher-leadership through mentoring, curricular work, action research, and fail to encourage service at the regional, state, and national levels in professional roles (e.g. accreditation site visits, professional association leadership.) Professional development also often falls short of "best practice" (ongoing, job embedded, connected to actual content and student achievement.)
- ❖ Workload and stress – Ironically, the myth of teaching as "part time" work abounds even though the work load is driving increasing numbers of educators into other careers. Meeting the demands of testing is stressful... for dedicated educators, the increasing difficulty in meeting the needs of each student is even more stressful.
- ❖ Professional work environment – Ready access to technology, adequate time for planning and collaboration, and use of teacher leaders in a manner that acknowledges their expertise are elements that are in short supply in many schools and districts.
- ❖ School culture and leadership – Administrative leadership is necessary to create a spirit of trust and respect among educators, students, and the community. It is also essential to implementing structural support for a professional work environment. A variety of factors, including overburdening of administrators, make achieving a positive school culture extremely difficult.

Systemic Solutions

The list of factors leading to difficulty recruiting and retaining teachers is daunting. But solutions to overcome these challenges primarily fall into four key areas:

The pipeline – attracting candidates to teaching

- Future teacher programs beginning in middle school and continuing through a dual credit "intro to teaching" high school course have helped some districts significantly increase interest in teaching as a career.
- Kansas has an excellent track record with its "alternate route" programs that provide a transition to teaching from other careers. These might be expanded to include ideas such as the "Urban Residency" found in such places as Boston and Chicago.
- Tuition forgiveness programs provide a method to attract candidates into particularly hard to fill positions or content shortage areas. Overall college affordability has become a barrier that can be eased with targeted grants.
- Advising is an area in which both college and high school counselors may find opportunities to ensure that teaching is given serious consideration by promising candidates.

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- Students today are connected, media-savvy, digital citizens. Classrooms must have an abundance of teaching and learning technology both to engage students now and maximize learning AND to paint a picture of teaching as a 21st century career.

Entry into the profession

- Beginning salaries MUST be improved to be competitive with other states AND other career options.
- Health insurance coverage is cited by graduating college seniors as a top priority in choosing a job. Education could raise its overall attraction by providing coverage for ALL public school teachers in Kansas.
- All districts must have the resources to provide significant mentoring and induction support for new teachers. Workload for new teachers should be reduced in recognition of the greater amount of planning and preparation required for the novice.

Continued service

- Career salaries must reach levels within fewer years (salary schedule compacting) so that career earnings can be maximized and teaching can be competitive with other professions.
- Health benefits again is a significant factor in making sure that teaching is not a part-time job or temporary career until a "real career" is chosen.
- Professional development and advancement opportunities must match meaningful opportunities to enhance relevant skills and to lead both within a school, district, and beyond while remaining "in the classroom."
- Family friendly policies regarding child care, sick leave, and work load have become the hallmark of businesses identified as the "best places to work" by *Fortune* and other business journals. Education should follow these examples to make education one of those best places to work.
- Time and structures must be in place to allow development of professional learning communities. Such communities provide significant professional support for school improvement. Improving the amount of time available for grading, planning, parent involvement, and collaboration will help alleviate one of the most significant factors driving excellent, experienced teachers out of the profession.

Prestige for the profession

- Compensation is more than about money. It speaks volumes to the best and brightest high school and college students to hear the old phrase "nobody goes into teaching to get rich." Teaching must be financially competitive, though, even if it doesn't offer stock options and the like.
- The profession needs to be given greater control of the profession. An autonomous Professional Standards Board should oversee licensing, accreditation, and design of professional development. Collective bargaining should be recognized as a collaborative tool to give teachers meaningful influence on the structure of their work lives. And teachers should serve on all relevant commissions and task forces charged with "fixing" aspects of education.
- Schools are educating more children with more challenging learning needs and attaining higher achievement than ever before. Education has been given the task of overcoming generations of societal ills... and is making real headway against the odds. Rather than labels of "failing", teachers need the resources identified in study after study in order to meet the needs of every learner. And they need positive press and politicians to recognize them for their efforts.
- Teaching is not part-time work. Combine the extremely heavy workload from August 1st through early June with committees beyond the school year and with self-funded professional development and it is apparent that teaching is a full year job. It should be compensated as full time work with a paid vacation, with coursework for advancement paid by the employer, and with committee work paid at full salary rather than at "fast food" hourly rates.

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Taking the First Steps

We cannot expect to solve the problem unless we are willing to view education as system that includes progression through a career and a variety of supports within the system. In addition to the obvious financial issues to make teaching a competitive career, it requires investment in a support structure that includes:

1. Induction and mentoring,
2. Time and resources,
3. Professional development,
4. Professional empowerment and advancement, and
5. A humanistic approach to human resources

As we implement the range of solutions cited above, we must view teachers as part of the solution, not as the problem. It is also time to stop imposing ideas on teachers and start collaborating with them in meaningful, substantive ways.

In conducting the 2006 Kansas Teacher Working Conditions Survey, we have for the first time given credence to what the teachers think and feel about serving our schools. It is imperative that what we learned from that survey be taken to heart and form the framework for discussions about making a school the kind of environment that encourages a career-long commitment.

It will take the commitment of policymakers and our communities to implement these recommendations. Doing so is at the heart of ensuring that we provide a great public school for every child into the 21st century.

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Great Teachers for 21st Century Schools:

A realistic plan to address the recruitment and retention of teachers

Introduction

Kansas has enjoyed over two decades in which the number of teaching candidates graduating from our colleges and schools of education met or exceeded the number of vacancies. At times, the fact that some Kansas graduates were likely to seek employment in other states or not enter teaching at all did not negatively impact the ability to fill vacancies within the state. Those times have passed.

A growing teacher shortage has put at risk the right of every Kansas student to attend a great public school. Kansas public schools have traditionally possessed a key element of great schools for every child: a caring, competent, and qualified teacher in every classroom.

The retirement of a generation of educators, though, is occurring precisely at a moment when a range of policy decisions have made recruitment and retention into teaching particularly challenging. In the heat of the current debate, a range of proposals to “fix” the impending shortage have been put forward. Some have great merit while others are likely to weaken the quality of schools and exacerbate the shortage.

In this report, we consider factors that have led to the growing shortage of teachers both in specialized fields, selected geographic areas, certain types of schools, and across all settings. Understanding these factors leads to a series of recommendations for action – actions that promise to ensure that every Kansas student will have a caring, competent teacher in the classrooms of the 21st century in Kansas. Demographic differences between the current Kansas teaching force and the student population are also noted as we seek to provide positive educator role models for all Kansas students.

Understanding Systemic Causes

Several systemic factors contribute to the current shortage and demand attention if we are to find real solutions that will work in the long term. A variety of factors affect both the recruitment (pipeline) of promising candidates into the profession and retention of teachers beyond induction into the profession.

Opportunities and Choices: For many generations, about the only “professional” employment choices for women in the United States were teaching and nursing. Both of these fields are now experience critical shortages as women find greater opportunities in a broad range of career choices in business, science and engineering, politics, etc. It is not reasonable to expect that we could reverse this trend... nor is it desirable to reduce these expanded opportunities for women. We must, however, recognize that education as a career must be viewed as equal in status and opportunity to other careers if it is to compete for its fair share of women as teachers.

Subtle societal messages continue to impact the choice of teaching as a career for men along with all other potential candidates. Only about 20% of the current teaching force is male and this matches statistics for enrollment in teacher preparation programs around the state and nation. If women are increasingly choosing other careers, then we MUST find ways to make teaching more attractive as a career for both genders. To the extent that both male and female potential teachers perceive teaching as a “second career income” rather than acceptable for the primary breadwinner in a family, it will continue to lag behind in the ability to compete and recruit promising candidates.

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While opportunities and choices primarily affect the "pipeline" to teaching as candidates select a career, our society has changed significantly in the past 40 years regarding the number of career paths an individual will pursue in a lifetime. Persons who may have selected teaching as a career for life a generation ago are now recognizing other opportunities and switching to other fields. Unfortunately, the litany of factors included here that explain why teaching is less often a first career choice also apply to why it is not at the top of the list of later career choices in life.

One additional note about career changes and teaching – decades of research into development of beginning teachers shows that it takes fully five years (or more) for a novice educator to become a well-skilled practitioner. If our desire is to provide a great public school for every child, we must work to retain teachers in the profession longer than the average job. Beyond the initial 5-7 years, we ought to work to ensure that teachers remain in the profession, bringing their knowledge and skill to serve both their students AND to act as a support and mentor for newer colleagues.

Discrimination: In 1954, the landmark Brown v. Board of Education decision in Topeka was intended to send the message that every child should have access to a great public school. Unfortunately, one of the most common responses to Brown v. Board in Kansas and across the country was to integrate student populations... and fire all of the minority teachers. A generation of children grew up with no role persons of color as role models or professional exemplars. As a result of both the discrimination against minority teachers AND the message to students, we now see a teaching profession with only a fraction of the diversity in society at large.

Minority students in the United States must also ask the question, "if I am to overcome the negative effects of generations of poverty for my family, is teaching the career to help make that difference?" Is the diversity gap strictly a function of increasing diversity in our population? The answer is a resounding NO. In 1990, about 12% of Kansas were of ethnic or racially diverse backgrounds compared with over 5% of the teaching force. By the 2000 census, overall diversity had risen to 17% in Kansas while the teaching force's diversity had dropped to near 4%.

Teacher Preparation: Some have cited "causes" for the difficulty in recruiting teacher candidates that do not stand up to careful scrutiny. For example, some say that teacher preparation programs are too involved or demanding. Data from a wide variety of alternate route preparation programs across the country, though, demonstrate that this is simply not a valid critique. While the quality of alternate route programs is a factor in retention in the profession, it is important to understand why the "preparation programs are too difficult or require too many hoops" excuse is NOT a factor to solve the recruitment dilemma.

Efforts to create shortcuts to teaching without appropriately rigorous attention to both content and pedagogy result in high rates of failure on the part of the new teacher. Well over 50% of candidates from "Teach for America" don't last past their third year in the profession. Just as importantly, their students don't do nearly as well on standardized achievement measures. In other words, under-preparing people for this challenging profession simply provides substandard teaching for large groups of students year after year and results in a high turnover in staff, undermining school culture AND student achievement.

Kansas has taken a well-reasoned approach to alternate route programs: guarantee a strong content knowledge base, build a theoretical AND practical understanding of pedagogy, and then provide high levels of mentoring and support.

One additional issue has been raised by some as a "barrier to teaching". Teacher candidates are now required to successfully complete several gateway assessments to reach full licensure in the profession. Some pundits have indicated that the challenge of passing these assessments is discouraging potential teachers from pursuing that career. During a recent discussion session by student teachers at Fort Hays State University, one beginning elementary teacher may have said it

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best: "Why would we want someone in the profession who isn't willing to work hard enough to succeed on a Teacher Work Sample? The TWC is what our work is all about and if we can't do that, we aren't ready to teach!" We certainly would never agree to eliminate assessments of doctors or other professionals because they might discourage some from pursuing those careers. We care enough about our health care to demand someone who is not going to engage in malpractice! Certainly Kansans deserve comparable rigor in determining who will be afforded a career of opportunity to impact the lives of our children.

Respect for Public Education and Educators: Schools now have over 45 ways to be labeled "failing" under the No Child Left Behind matrix of grade levels, testing, demographic subgroups, and indicators. Isolated incidents of violence make headlines while the press remains silent to the fact that public schools are probably the safest place children and students spend their time.

The overemphasis on testing and the high stakes for schools based on the results has led to significant restructuring of many schools in extremely negative ways. While this topic is addressed at greater length as a retention issue, recruitment of candidates into teaching is increasingly difficult as the career moves towards reciting scripted lessons that lead to drill-and-practice exercises that lack creativity or a positive sense of engagement for students and teachers alike.

Ironically, one so-called strategy to overcome shortages in the teaching field is likely to have exactly the opposite result in the long run. As previously noted, lowering standards for entry into the profession has proven to invite persons who are ill-equipped to meet student learning needs. The reputation of public schools suffer, particularly hard-to-staff schools working with students with the greatest needs, as achievement data shows greater numbers of students

Salary and career earnings: While some authors have attempted to justify the low salaries afforded to teachers by arguing that they do not work "full time", a more careful analysis shows this premise to be false. In 2005, researchers at the Education Policy Institute discovered the following:

- "A comparison of teachers' weekly wages to those of other workers with similar education and experience shows that, since 1993, female teacher wages have fallen behind 13% and male teacher wages 12.5% (11.5% among all teachers). Since 1979 teacher wages relative to those of other similar workers have dropped 18.5% among women, 9.3% among men, and 13.1% among both combined.
- A comparison of teachers' wages to those of workers with comparable skill requirements, including accountants, reporters, registered nurses, computer programmers, clergy, personnel officers, and vocational counselors and inspectors, shows that teachers earned \$116 less per week in 2002, a wage disadvantage of 12.2%. Because teachers worked more hours per week, the hourly wage disadvantage was an even larger 14.1%.
- Teachers' weekly wages have grown far more slowly than those for these comparable occupations; teacher wages have deteriorated about 14.8% since 1993 and by 12.0% since 1983 relative to comparable occupations."¹

The New York Times reported that beginning salaries lagged behind other comparable fields by \$5,000 to \$10,000 while annual earnings after 20 years in the job were likely to be at least \$40,000 behind.

At times, the argument was presented that teachers need to enter the profession with a sense of calling and service. These personal characteristics are desirable traits that will help the teacher succeed. It seems far more sensible, though, to pay sufficiently high salaries so that a greater number of dedicated and caring people are able to choose teaching without sacrificing their spirit of

¹ From Alegretto, Corcoran, and Michel. (2005). "How Does Teacher Pay Compare? Methodological Challenges and Answers." http://www.epi.org/content.cfm/books_teacher_pay

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dedication and caring for their own children and families. If less altruistic individuals are led to the profession, it will become the job of careful personnel screening to bypass them in favor of the more caring candidates.

Professional, induction, advancement, and leadership opportunities: One of the most notable features of teaching as a career (traditionally) is the fact that the job description and responsibilities were largely identical for the beginning professional on her/his first day of employment to those for the 35 year veteran preparing to retire. Beyond some informal mentoring of new teachers by experienced colleagues, the profession has been virtually flat – no differentiation or advancement short of moving out of the classroom to become an administrator.

For years, KNEA and our members have proposed that new teachers should be given lighter schedules, possibly with smaller class sizes and fewer “difficult” students. During the induction years in the profession, the burden of planning to meet the diverse needs of students is extremely demanding. Add to those normal stresses before/after school supervision, attending Individual Education Plan meetings, and school or district induction workshops and a workload is created that drives many promising young educators out the door.

What do administrators say?

When asked how state legislation could improve the district's new teacher program, the majority of administrators suggested that funding was the best way for the state to improve the program.

Teacher Induction in Kansas City: State Policy, District Trends, and Their Implications,
from New Teacher Center: University of California at Santa Cruz – study of Kansas and Missouri districts in the greater Kansas City area, p 30.

Support by mentors for new teachers is also uneven across districts and across the state. In some cases, mentors are assigned without any training, without any attempt to match critical characteristics, etc. In other cases, no mentor is assigned at all. The beginning teacher may be left to her/his resourcefulness and resilience to see if they can “make it” and are willing to weather the struggles to become a well-established veteran.

The typical teacher who sticks with the profession progresses through the first five to seven years and becomes a fully capable independent practitioner. As one becomes more confident in the profession, her/his interests might also expand to include a desire for greater influence on the selection of instructional materials, a desire to engage in more collaborative planning of instruction, or possibly a natural skill for mentoring newer colleagues. Some of these activities may be encouraged in a school district, but often, the emerging teacher-leader finds difficulty in their path to greater responsibility.

Systemic barriers to advancement are often in place to make it more difficult for excellent, experienced teachers to assume new roles. For example, if a teacher is asked to serve on a state-wide task force or on an accreditation visit for a school of education, she/he is likely to be denied any professional leave due to the critical shortage of substitutes. There is also little thought of reducing the class load for the master teacher in order to assign new duties related to teaching and learning, curriculum and assessment. Again, if someone wishes to “advance”, they are often forced to completely leave their role as teacher.

Relevant and significant professional development: Most experienced teachers can describe the array of activities that are labeled as “professional development” by schools and districts. Often, the refrain can be heard: “just let me work in my classroom.” There may be a role for inspirational speakers as part of an overall plan for professional development. There may be a role for a drop-in workshop by a leading expert in some teaching strategy. But neither addresses the critical attributes that have been identified for truly impactful professional development.

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All too often, the professional development experiences are not linked to the actual content area of the teacher or to the specific student learning challenges she/he is faced with in the classroom each day. The idea of teachers meeting together to analyze student work and to jointly research ideas for improved teaching would fall outside what many schools or districts would view as "professional development." Inherent within this flawed analysis is a belief that teachers are not reflective practitioners who can collaborate, conduct action research, and improve their professional practice without an intervention by some external expert or motivator. Actually, it is each teacher's reflection and action research that has the greatest impact on her/his professional practice!

For a full discussion of quality professional development, consider the principles identified by the National Staff Development Council and the rubric based on NSDC work that was developed by the Kansas Learning First Alliance.

Workload and stress: The "No Child Left Behind" reauthorization of the Elementary and Secondary Education Act has had many unintended consequences. For example, the curriculum has been strategically narrowed in many schools in an attempt to focus on those topics that are on "the test." Some schools have eliminated science, recess, music, and other activities at least temporarily in an effort to make a few points on the NCLB-mandated assessments.

While teaching has long been a profession with long hours beyond the school day, NCLB and other bureaucratic acts have exacerbated problems of workload and stress in several ways. For example, the joy of teaching in a manner that generates "aha" experiences of understanding has been diminished by an emphasis on rote learning rather than a student's ability to analyze and solve problems.

Scripted instruction programs have forced teachers to abandon genuine interaction with students. Students who are subjected to these new conditions also react to the stress – motivation decreases when the curriculum is narrow and test-focused rather than open to connection with a student's natural areas of interest. Further, students are pressured through test preparation drills and an awareness that these are high stakes events for their schools.

The most overwhelming concern to emerge from the 2006 Teacher Working Conditions Survey was time. This includes a lack of collaboration time (with some variation at middle school level if team planning time is in place), individual planning time, time to grade and provide feedback on student work, time to maintain a good communication link with parents, time to review professional journals, and the list goes on.

What do teachers who left the profession say?

One teacher to recently leave the profession noted that she used to work fourteen-to-sixteen hour days August through May were hard. But now in another professional field, "I'm not on call right now, but I may work an occasional weekend. I go home at 5 p.m., I don't have grading or planning, and I'm not thinking about how to make Hamlet new and exciting."

From "Young, Dedicated – and Out the Door?" *Issues*, 19(4), p 1.

As noted in the discussion of salaries, teaching is a profession that demands more hours each day and week than other professions with comparable preparation. Add to that the stress of public pressure and political rhetoric about "failing schools" and teaching loses even more of its allure for the student considering career options.

Professional work environment: What characteristics describe the typical teacher's work environment, at least historically? Depending on the particular school, the conditions vary greatly: isolation versus collaboration, micromanagement versus autonomy, prescription versus professional judgment are all areas that impact student achievement AND professional fulfillment.

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Studies like the Teacher Working Conditions survey conducted in Kansas and across the nation have emphasized the link between a professionally empowering work environment, increased student learning, and teacher retention.

Research reported by the American Educational Research Journal noted that the greatest factor in dissatisfaction-related teacher turnover in high poverty schools was poor administrative support. While salary was the prime dissatisfier in low poverty schools, administrative support was the second highest issue.²

Additional background research was analyzed and compiled by the National Education Association as part of their long term project entitled KEYS to Excellence for Your Schools. For more information about this analysis, consult the KEYS web site at <http://www.keysonline.org/>.

School culture and leadership: In addition to time, the most important single factor in creating a positive and productive work environment described above is the formal school leadership provided by administration. And just as there is a critical and growing shortage of teachers, there is an equally significant shortage of school and district administrators.

The shortage may result in some individuals who are less skilled in creating desirable school cultures being called upon to fill administrative vacancies. The stresses and pressures on teachers apply to administrators, as well. Thus, retention of school administrators is a major concern. Kansas should be looking for ways to support administrator longevity that is sufficient to establish a sustainable culture and to mentor emerging leaders within a school.

What do researchers say?

“The importance of leadership and its connection to both achievement and retention have been noted. Ensuring that school leaders have the support they need to create trusting school environments where teachers are comfortable raising issues and empowered as partners in decision making is critical.”

Creating Conditions for Student and Teacher Success: A Report on the 2006 Kansas Teacher Working Conditions Survey. Center for Teaching Quality, Eric Hirsch & Scott Emeric, p 30.

Empowerment is a crucial element of a true professional learning community. It is possible to craft and utilize a vision statement within a school via the boss simply telling all what to do, the boss trying to sell everyone on what to do, the boss seeking reactions to a proposed vision, the boss consulting with others before making her/his decision, or the boss and members of the organization co-creating their vision through a collaborative process. According to DuFour and Eaker, co-creating may not be the most efficient method, but it is the process most likely to lead to a vision that is widely shared and likely to have real impact.³

² Ingersoll, R. (2001). “Teacher turnover and teacher shortages: An organizational analysis.” AERA Journal 38(fall 2001), 499-534.

³ DuFour, R. and Eaker, R. (1998). Professional Learning Communities at Work: Best Practices for Enhancing Student Achievement. p. 65.

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Systemic Solutions to the Teacher Shortage

KNEA proposes that a long term approach to addressing the issues of recruitment and retention of quality individuals into the teaching profession is the only way to really address the problem. We will not solve the problem with a band aid approach that might get a few more teachers into the classroom today only to have them leave tomorrow. We must seek a solution that addresses both the present and the future.

To that end, we urge Kansas policy makers to address four areas in crafting a solution:

1. **The "pipeline"** – getting more young people to pursue teaching after high school.
2. **Entry into the profession** – once a candidate graduates from a teacher preparation program, how will we compete with the pull from more lucrative employment opportunities?
3. **Continued service** – Once someone has begun teaching, what must we do to ensure that they make teaching a career, including how we can entice them back to the classroom should they take a break for family responsibilities.
4. **Returning prestige to the teaching profession.** Policy and policy makers must honor teaching, not degrade it; teachers must be treated and respected as professionals on the same level as attorneys and physicians. We must never forget that the foundation of every physician's training is the education he or she received in grades k through 12.

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Addressing the "pipeline"

How do we encourage more people to consider teaching as a career option?

- **The role of high schools and middle schools**

If we want young people to consider teaching as a viable career option, we must expose them to teaching as a career early on. Contrary to what some believe, experience as a student does not count as exposure to the realities of – nor the joys of – teaching. To that end, middle schools should be encouraged to form future teacher clubs sponsored by enthusiastic career teachers who can share their love of the profession with the students. Ideally, students in education programs from local institutions of higher education should work with these clubs and share their enthusiasm for their prospective profession. As students enter high school, they should have the opportunity to participate in Future Teacher Clubs that put an emphasis on pre-professional experiences. Such students would serve as teacher aides, work with students as tutors, and support early reading and math programs in the elementary schools. It is important that these young people have real contact with students – as opposed to grading papers and delivering messages. The most often given reasons for choosing teaching as a career are altruistic – the desire to make a difference or change the world or seeing the light in a child's eyes when he "gets it." Club experiences should provide members with that experience; the chance to experience having taught someone something. These kinds of programs would develop in young people a greater appreciation of the difference one can make in the life of a child when choosing teaching as a profession and serve to inspire young people to pursue teaching.

The State can:

1. allow the creation of programs that would include classes for credit in high school. Such classes would be taught by licensed, practicing teachers.
2. provide funding for such programs so that rich experiences might be provided including experiencing the difference a teacher can make and visits to teacher preparation programs at universities in Kansas.

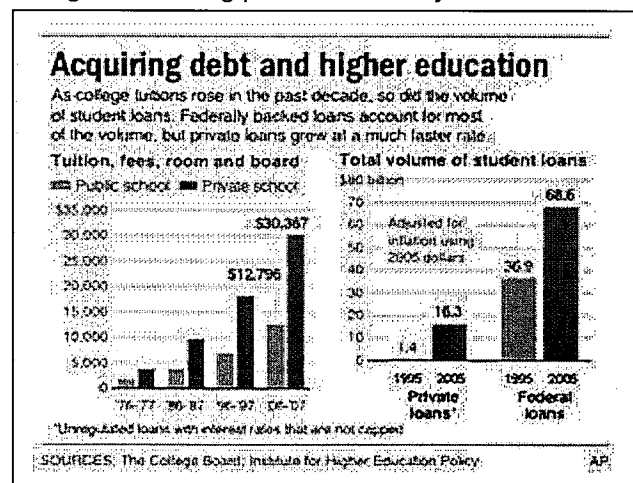
- **Grow your own transition to teaching programs**

There are support personnel across the state who, for whatever reason, have not completed a degree program which could lead to them entering the teaching profession. Many paraprofessionals have some college education – perhaps even hold an Associate's degree. Every effort should be made to transition these people into the profession.

State and business partnerships can

1. pay tuition or provide loan forgiveness,
2. provide instruction either on-site or through interactive distance learning opportunities, and
3. provide living expenses during the time they would be completing their student teaching experiences.

- **Tuition forgiveness**



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Recent analysis of student loans and the rising costs of college education have been called "a new form of indenture" by the Kansas City Star. Students pursuing a teaching career must complete an undergraduate program and are then often encouraged to complete an advanced degree as well. With Kansas teacher salaries among the lowest in the nation, it is foolish to expect young people to stay in a career that will not allow them to pay off their college debt. Kansas must dramatically expand and market loan forgiveness programs for students entering the profession.

Tuition forgiveness programs can be crafted in such a way as to encourage recipients to take hard-to-fill positions. There must be a commitment by the student receiving tuition forgiveness grants to work in teaching. If any student entering teaching could receive tuition forgiveness at a rate of one semester for each year of teaching, more would consider entering and staying in the profession. Additionally, tuition forgiveness could be ramped up for those willing to teach in isolated rural communities, hard to staff schools, or license shortage areas. Such teachers might receive one year (two semesters) tuition forgiveness for each year taught in that position. These tuition reimbursement programs should include currently licensed teachers who agree to become endorsed in and teach hard-to-fill areas.

For more information on the crisis in student loans, see the following articles:

High-priced student loans spell trouble

Graduates with higher-cost private loans face a tougher road

- **University advising**

University advising programs must be more in tune with the reality of teaching career opportunities. We know that Kansas teacher preparation programs are turning out more elementary classroom teachers than there are jobs for those teachers while we are not producing enough math or music teachers. It is not enough for advisors to assist students in choosing the appropriate classes; they must be more vigilant about advising students on employment realities. While the ultimate decision on what to pursue remains with the student, the advisor should encourage students to think about options that will meet the needs of the state as well as providing for a greater possibility of finding a job after graduation.

Further, students with majors in science and math, or other hard-to-fill teaching positions, must be encouraged to consider teaching positions in these areas, if their skills, interests, personality, and values indicate they would thrive in the teaching profession. Cooperative education programs can be used to get non-teaching majors into classrooms to determine whether teaching would be a good career fit.

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Addressing entry into the profession

What will bring people into the classroom and get them through the first years?

The National Association of Colleges and Employers (NACE) annually examines issues of what students are looking for in job offers after college.

"Students responding to NACE's 2006 *Graduating Student & Alumni Survey* have made it clear that while salaries are important, benefits also matter to them. Overall, students rated medical insurance, yearly salary increases, 401(k) plan, and dental and life insurance as the most important benefits to them. Other benefits students look for, in order of importance, are:

1. Medical insurance
2. Yearly salary increases
3. 401(k) retirement plan
4. Dental insurance
5. Life insurance
6. Tuition reimbursement
7. More than 2 weeks vacation
8. Pension plan
9. Flextime
10. Family-friendly benefits"⁴

- **Entry level salaries**

The average Kansas teacher salary today ranks 38th in the nation. In 2006-07, the average starting salary for a teacher in Kansas was \$30,408, while starting salaries across the state range from a low of \$25,000 to a high of \$38,500. These figures are based on an examination of teacher salary schedules across the state. They do not necessarily reflect what a beginning teacher might *expect* to earn. When these salaries are weighted based on where they are – for example, a large district with a higher starting salary will likely hire more beginning teachers than a very small district with a low salary – a beginning teacher might expect to earn \$32,619.

The American Federation of Teachers also conducts a periodic survey of beginning teacher salaries which is published in a report entitled the Survey and Analysis of Teacher Salary Trends. The latest of these surveys published in 2007 is the analysis of 2005 data. The report on beginning teacher salaries comes to this conclusion:

"The average salary earned by the 227,000 teachers who were in their first year in 2004-05 was \$31,753 or 3.1 percent more than the average earnings in 2003-04. Although beginning teacher salaries increased at a faster rate than average teacher salaries, they still did not keep pace with inflation, earnings for other workers or economic growth.

"For example, between 1995 and 2005, the buying power of the beginning teacher salary grew by 3.3 percent or roughly \$100 a year. The buying power of private sector salaries generally grew by almost 13 percent. For every new dollar in average earnings in the private sector, beginning teacher salaries have risen by just 22 cents.

"The National Association of Colleges and Employers conducts an annual survey on the job offers received by college graduates. The average salary offer to those graduating with

⁴ National Association of Colleges and Employers, Frequently Asked Questions, <http://www.nacweb.org/press/quick.htm>

a major other than education was \$42,229 or \$10,476 more than the average beginning teacher salary. Beginning teacher pay is not competitive.”⁵

Whether we look at the data nationally or on the state level, we can see that beginning teacher salaries are not competitive with private sector salaries and are becoming less so over time.

Efforts to address this issue are a necessary component of any plan to attract young people into the teaching “pipeline” and to move new college graduates into the classroom.

- **Health benefits**

Providing health insurance benefits to school employees should be a priority of the state. As we noted earlier, in the NACE *2006 Graduating Student & Alumni Survey*, “students rated **medical insurance**, yearly salary increases, 401(k) plan, and dental and life insurance **as the most important benefits to them.**” (emphasis added) Knowing that one’s health care needs are taken care of is a strong incentive for joining the profession and continuing.

- **Support for new teachers**

Teaching is challenging. While Kansas teacher preparation programs do an excellent job with prospective teachers, no program can fully encompass the realities of dealing with one’s own students and the variety of personalities, backgrounds, and levels of students that form today’s classroom.

Data from the State Department of Education reveals some alarming facts. The attrition rate of new teachers in Kansas over the first five years of teaching is nearly 50 percent. While some of this exodus can be attributed to taking time off to raise children or the transfer of a spouse, we are not losing half of our new teachers to those two factors alone.

Unfortunately studies of the problem have been conducted by asking Superintendents why teachers leave and not by attempting a real survey of those teachers who have left. But all educators agree and national research confirms that there are certain practices that, if done well, can dramatically reduce new teacher attrition.

- **Induction**

The successful transition from novice teacher to skilled practitioner demands a comprehensive program for the induction of new teachers. Such a program orients the novice teacher to the school, the district, and the community. It goes further by linking professional development opportunities, school improvement initiatives, and appraisal with a mentoring system designed to support the teacher in mastering the art of classroom management, instruction, and student assessment.

The induction program also must function within the context of the novice teacher’s working conditions. Successful completion of the probationary period is more likely when the new teacher’s assignment considers such factors as the number of preparations, class size, extra-curricular responsibilities, and the challenge of the assignment. Successful teachers also count on the sustained support of school administrators, professional colleagues and mentors, resource personnel, professional organizations, and the community.

⁵ American Federation of Teachers, Survey and Analysis of Teacher Salary Trends 2005, AFT, Washington, D.C., 2007, p ii.

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○ **Mentoring**

The mentoring program functions within the context of the comprehensive induction system. Its purpose is to pair the probationary teacher with a highly skilled teacher or team of teachers trained in working with peers and providing support. Through the support of a caring, specially trained mentor, the novice teacher is able to focus on developing his/her instructional skills and utilize the learnings from professional development experiences in improving practice. Mentoring is not an isolated experience but rather is on-going support, built into the day-to-day activities of the novice teacher.

The mentor teacher program passed by the legislature is not adequate to do the job. First, the program has never been funded to provide support for every teacher through the first three years of teaching. Secondly, while the state program provides funding to give a stipend to mentor teachers – a needed component – it does not provide funding for any of the other necessary ingredients of a quality mentoring program. There is no funding for program planning, materials or training; there is no funding to support release for both the mentor and the mentee to engage in observation and immediate feedback.

In order to be an effective program in addressing new teacher attrition, the mentor teacher program needs an influx of funding.

○ **Work load**

New and inexperienced teachers need to be able to focus on learning the job. To that end, practices that distract them from that learning need to be abandoned. Many school districts and local associations are doing just that but such efforts need to be stepped up.

When assigning new teachers, attention must be given to their preparation load. For secondary teachers, the preparation load should be minimized. Whenever possible, the new teacher should have fewer courses to prepare for than the experienced teacher.

Care must also be given not to overload the new teacher with students with special needs. While new teachers must gain experience with these students, they should never be expected to take on more challenges than necessary.

Finally, new teachers need time to assess student work and prepare for the lessons they will teach. New teachers should not be asked to take on more than one supplemental duty in addition to their teaching.

These are policies that need to be promoted from the state level and supported by school boards, school administrators, and the new teacher's fellow faculty members.

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Addressing continued service

What will keep people in the classroom for a long and successful career?

- **Earning career salaries**

Nationally, the AFT Teacher Salary Survey shows a disturbing trend in average teacher salary:

"[T]he average teacher salary increased between 2003-04 and 2004-05 by 2.2 percent to \$47,602. But teacher pay lost ground against the cost of living, which rose by 3.4 percent. It is the second consecutive year that average teacher pay has declined relative to inflation. In that time, the buying power of the average teacher salary declined by \$775, or 1.6 percent.

"Growth in average teacher pay has not kept pace with overall economic growth either. In 2004, the U.S. economy began to come out of recession and grew, on a per capita basis, by 5.8 percent. In 2005 it grew by 5.4 percent. In each year, the growth in teacher pay did not match the growth in the economy. This is not a surprise, because average teacher pay has only grown at a faster rate than the economy 15 times in the last 45 years. But the difference between annual economic growth and the growth in teacher pay is the highest it has been since 1981.

"And when compared with the average pay of American workers overall, average teacher pay is losing ground. In 1991, average teacher pay was worth \$47,262 in 2005 dollars. The average U.S. worker who qualified for unemployment insurance made \$39,188. Teacher pay was 21 percent more than average pay generally. Teachers earned more, on a comparable basis in 1991 than they ever had before – or have since. Real average teacher pay has grown by less than 1 percent since 1991, and earnings for all workers have grown by 14.5 percent. Teachers now make just 6 percent more than the average American worker."⁶

"In the last 10 years, real average private sector compensation has grown by \$4,580. Real teacher compensation has grown by \$487. For every \$1 increase in average private sector salaries, average teacher pay has risen by 11 cents."⁷

Kansas teacher salaries have consistently lagged behind other states. In 2004-05 (the same year used in the AFT survey), the Kansas State Department of Education reports that the average Kansas teacher salary was \$39,351 – a full \$8,251 less than the national average. By 2006-07 the average Kansas teacher salary had risen to \$43,334 – still \$4,268 less than the 2004-05 national average!

The most recent analysis shows the Kansas average teacher salary to be 38th nationally. This is good news in that we have come up from 42nd just a few years ago. The rise however is due to the resolution of a school finance lawsuit under which the state legislature provided much larger increases in funding.

Teacher salary increases for 2005-06 and 2006-07 were larger than those in previous years, moving the average up relative to other

What do teachers say?

"If more than 40 percent of the faculty believed they need to work a second job during the school year, schools are 1.7 times more likely to have a high expected turnover rate."

Creating Conditions for Student and
Teacher Success: A Report on the 2006
Kansas Teacher Working Conditions
Survey, p 16.

⁶ American Federation of Teachers, Survey and Analysis of Teacher Salary Trends 2005, AFT, Washington, D.C., 2007, p i.

⁷ *Ibid*, p ii.

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states. Kansas remains far from the national average.

The state can take the lead in addressing the salary issue by providing continued increases in base state aid per pupil. BSAPP is the primary source of funds for teacher salaries and the best way to make salaries more competitive is to provide more money that can be used for salaries.

The move to the national average would take an enormous infusion of funds. For this reason some have advocated a somewhat scaled down approach by targeting the median of the states. This approach would still move Kansas teacher salaries significantly forward.

Yet another approach to improving teacher compensation is to focus on career earnings. Until recently there were districts with 40-step salary schedules. What this means is that a teacher would not earn the maximum salary level until after 40 years in the same district, significantly decreasing the amount of compensation earned over a career.

KNEA local negotiations teams have been advocating for compacting salary schedules so that teachers earn higher salaries earlier in their career. Such a system would make the salary more attractive and allow teachers at younger ages to invest some of their earnings or purchase their own homes.

- **Health benefits**

Health care costs continue to eat away at American's earning power and public employees are not immune to the health care crisis. In Kansas the handling of health benefits varies widely from district to district. The majority of districts provide most of the cost of the employee's health benefits; very few fully cover the cost of the employee. Family coverage as part of the compensation package is rare although it is often available out of the employee's pocket. And in the last State Department of Education survey of school districts, it was found that in 11 districts employees are ***not even offered health insurance at their own cost.***

Providing health insurance benefits to school employees should be a priority of the state. As we noted earlier, in the NACE *2006 Graduating Student & Alumni Survey*, "students rated **medical insurance**, yearly salary increases, 401(k) plan, and dental and life insurance **as the most important benefits to them.**" (emphasis added)

In addition, as teachers continue in their careers, family health benefits become even more important. The state recognizes this in the provision of the state health care plan to state employees. Under that plan, the state provides nearly all of the employee's premium and a significant portion of the family coverage.

The lack of support for family coverage in many school district health insurance plans is a disincentive to continued employment.

- **Professional development**

As with any job, an employee's enthusiasm is often fed by support for exciting new approaches to the task at hand. Quality professional development helps teachers to learn new skills, encourages them to try new approaches to learning, and bolsters their enthusiasm for and commitment to teaching.

Unfortunately the state has never fully understood the potential of quality professional development. Despite establishing a funding formula for professional development in the mid 1980's, the formula has ***never*** been fully funded. This has left districts in the difficult position of carving such funding out of other resources and programs or ignoring professional

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development. And too often professional development is done "on the cheap" as a cost savings measure rendering the experience frustrating and meaningless to the teachers.

Professional development becomes critically important as states and the federal government institute "school reform" policies that effectively mandate changes to curriculum, assessment, or teaching. In order for teachers to fully integrate such changes into their practice, professional development that is meaningful, related to the mission of the schools, and embedded within the school day would improve overall job satisfaction and encourage teachers to stay with the profession.

The state can play a meaningful role in two ways:

1. fully fund the professional development formula, providing districts with the resources to provide quality opportunities, and
2. insist that Professional Development Councils, as the oversight and planning council of the district, have meaningful involvement in and sign-off on the professional development plan.

- **Family friendly policies**

Teachers are not teachers first and people second. Like all other Americans, teachers are parents, community members, and children themselves. School districts may have mottos like "Where the kids come first," but those mottos too often do not apply to teachers as parents and children themselves. As young teachers become parents and veteran teachers become care-givers for their own parents it should be the policy of the state to support them as employees and as care-givers.

The following three issues address another of the 10 benefits that new graduates look for in an employer. The list of ten includes "**flextime**" and "**family-friendly benefits.**"

- **Child care**

Young teachers with small children are, as we have shown, working for low wages. Schools are the perfect place in which to offer child care for the children of employees. In its emphasis on early childhood opportunities, the state should consider funding more school-based child care and provide it as a benefit to employees.

- **Sick leave**

Sick leave policies are in need of a dramatic overhaul. It must not be forgotten that teachers face classrooms full of children who come to school ill because their parents are out of sick leave at their own places of employment. In addition young teachers have to consider the health of their own children and baby boomers now have the responsibility of caring for elderly parents. The state should encourage and help fund sick leave policies that support families and children.

- **Work load**

What do teachers say?

"Only a slight majority of teachers were positive about the professional development they received. More than half (58percent) of Kansas educators agree that professional development provides teachers with the knowledge and skills most needed to teach effectively."

Creating Conditions for Student and Teacher Success: A Report on the 2006 Kansas Teacher Working Conditions Survey, p 30.

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As with beginning teachers, it is often important to consider the same work load issues with career teachers – particularly those with children of their own.

Other work load issues are specific to particular jobs. Special education teachers for example teach all day long but must still find time for student assessment, writing IEPs and meeting with parents on IEP teams. Their work load is extraordinarily high and the result is a shortage of special education teachers. Licensure data reveal that Kansas has more teachers with special education licenses than positions, yet school districts can't find people to take those jobs. Perhaps work load plays a part in the willingness of a teacher to take a special education assignment.

- **Professional communities**

A school is a system. Every part of that system has a contribution to make in the success or failure of the system as a whole and of each student in the system. Unfortunately the constraints put on schools by funding and time result in a system in which each individual teacher is closed within his or her own classroom and rarely is able to work with others to accomplish the goals of the school.

The requirements of No Child Left Behind and the state's own accountability and accreditation system demand that teachers work collaboratively to analyze student assessment data and create plans to address the weaknesses identified in the data. Comprehensive school improvement cannot be done by teachers working in individual silos.

Schools need the resources to provide for collaborative work opportunities.

What do teachers say?

"About one-quarter of Kansas teachers receive less than three hours per week during the school day to plan and collaborate. It is not surprising, then, that only 42 percent of teachers agreed that they receive sufficient time to collaborate with colleagues."

Creating Conditions for Student and Teacher Success: A Report on the 2006 Kansas Teacher Working Conditions Survey, p 24.

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Returning Prestige to the Profession

The public schools and the teaching profession have been under relentless attack since the 1980's. Report after report – often written by “think tanks” with an interest in destroying government support for comprehensive public education – has damned the system as inefficient, bloated, and uncaring. Newspapers routinely print stories of “failing schools” rarely taking a serious look at the data they are reporting.

At the same time state legislatures and the congress have put ever increasing demands on public schools without providing the funds necessary to address those demands. Special education, passed in the mid-1970's has never been fully funded by the federal government and the state of Kansas has rarely funded 100% of the excess costs of the program. The federal No Child Left Behind Act is underfunded by hundreds of millions of dollars and yet takes a punishing sanctions approach to schools that can't achieve its standards.

What do teachers say?

“Overall, less than half of Kansas teachers (44 percent) agree that teachers are centrally involved in decision making, and only five percent strongly agree with this statement.”

Creating Conditions for Student and Teacher Success: A Report on the 2006 Kansas Teacher Working Conditions Survey, p 28.

Underpaid teachers are shelling out hundreds of dollars of their own to supplement school materials at the same time that their own buying power is shrinking.

In the past few years in Kansas bills have been introduced and debated that have all but called teachers pedophiles and pornographers. Legislators berate teachers because too many children are not meeting math proficiency standards but are

unwilling to take the high school test themselves.

Yet by all measures schools are doing better than ever before. More children are graduating from high school than ever. We are educating children who were considered “throwaways” in the “good old days” of many a pundit's youth. We had no special education 35 years ago. We did not have English for Speakers of Other Languages (ESOL). Years ago no one would have considered what to do about educating the crack babies; no one would have cared if inner city youths dropped out of school. Today's teachers care about all of those children and more. And they struggle to meet their needs in underfunded schools.

The legislature, the state board of education, and other policy makers wonder in the context of all of this why enrollment in teacher preparation programs is declining, why school districts can't find enough teachers to fill their classrooms, and why teachers seem so anxious to retire.

Those policy makers have it in their power to lead the way in returning prestige to the teaching profession. They can start by vocally standing up for teachers and schools when the narrow-minded ideologues among their own ranks accuse teachers of pedaling pornography. And then they can begin to accept the reality of their own studies. Two costly studies have shown schools to be underfunded – acknowledge it and deal with it. Standard and Poor's has shown that our schools are efficient – accept it and stop calling them inefficient.

What do teachers say?

“If 40 percent or less of the faculty in a school believed they are respected as educational experts, the school is 2.7 times more likely to have a high expected turnover rate.”

“Educator perception that they are respected as educational experts had the greatest impact on whether schools would have a high expected turnover rate.”

Creating Conditions for Student and Teacher Success: A Report on the 2006 Kansas Teacher Working Conditions Survey, p 16, p 18.

Policy makers can set a tone that demonstrates respect for the profession of teaching. Relentless attacks on the education system and on those that work in it – administrators and teachers alike – contribute to a young person's decision to choose a different career.

Legislators and other elected officials can promote policies and legislation that empower teachers:

- Support for collective bargaining gives teachers a measure of control over their compensation, benefits, and work day.
- Ensuring that teachers have a majority voice on professional development committees empowers those who meet our children every day to determine what training is needed to help them meet the needs of those children.
- Appointing practicing teachers to state level committees and commissions formed to advise the legislature acknowledges the value of those teachers to education. Currently for example, there are no practicing teachers on the 2010 Commission; no instructors on the Technical College Commission; no math or science teachers on the Math and Science Advisory Commission.
- The power of educator licensure should be in the hands of teachers. In other professions, active professionals control access to a professional license. Lawyers, Plumbers, Physicians, Engineers, Nurses, Dentists, and Cosmetologists control access to their professions. Only in education are education professionals denied the right to license individuals within their profession. Singling out educators in this way devalues them as professionals capable of understanding and policing their own profession.

Legislators and other elected officials can promote policies and legislation that reward teachers:

- All elected officials from local school board members to the Governor should advocate for significant salary increases across the board.
- Teachers who choose to teach in districts with high levels of poverty, language minority students, or at-risk students should be acknowledged for the extra challenges they face in meeting the needs of those students.
- Teachers who voluntarily choose to pursue National Board Certification should have the fees paid for by the state as well as support during the process to effectively complete the assessment.

Legislators and other elected officials can participate in activities that acknowledge teacher excellence:

- All elected officials should take news media to task when schools are labeled as "failing."
- Elected officials should willingly and vocally challenge their ideological colleagues who publicly berate teachers or public schools.
- Elected officials should reject accountability systems that are based on a series of punishments and sanctions and instead focus efforts on supporting improvement efforts in schools that fall short of standards.

Ending the myth of "part time" employment

Too many people characterize teaching as if it were part time employment. "The best thing about teaching," they will say, "is June, July and August." Others suggest that the teacher finishes work when the children go home. Sadly, many policy makers have bought into this myth. And it is a myth.

The 8:00 to 3:00 myth suggests that there is time built into the day for teachers to plan lessons, evaluate student work, and research and assemble materials for lessons and projects. Imagine the high school English teacher with five class periods of 22 students using their 50 minute planning and preparation time to read and comment on essays by just two of those classes – 44 students.

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What time then is left in the day for lesson planning? What time is left to read the next novel that your students will be reading? What time is left for scoring the last grammar quiz, returning the call of a parent with questions about his child's progress report, meeting with your colleagues in the English Department to discuss curriculum, and attending the mandatory staff briefing on blood-borne pathogens?

The June, July, and August myth suggests that teachers might be lounging on beaches or touring European capitals three months of every year. Yet, in reality teachers are often working on their masters degree in summer sessions, attending voluntary professional development programs, researching new materials and methodologies to enhance their instruction in the coming year, and working summer jobs to make ends meet.

The truth is that no teacher's job ends when the children go home – either in the evening or the summer – and to suggest so is to demean the valuable work that teachers do after the students leave and even at home at night.

It doesn't take much creativity to imagine a world in which teachers are compensated like other professionals for the education work they do in their supposed "off time." Imagine teachers as full time employees with a paid vacation period – just like other American workers. Imagine that those teachers are then paid employees when they attend professional development programs, take pertinent university classes, or collaborate with peers on improving student learning.

Such an idea would require a significant increase in teacher pay and a significant influx of state funding to support those salaries. What is done during those non-student days would be subject to negotiations, empowering teachers to take control of their professional community and professional lives. The fact is that in the private sector, when the employer wants an employee trained in new techniques or to attend a class, seminar or conference designed to improve his or her skills, it is done on the employee's work time and at the expense of the employer. Only in the teaching profession do we expect these things to happen and for the employee to fund them from her own pocket.

What do teachers say?

"Due at least in part to [the] lack of planning time, teachers work on school-related activities outside of the school day."

"A majority of teachers not only put in significant time outside of the school day, they work well beyond the number of days in their contract."

Creating Conditions for Student and
Teacher Success: A Report on the 2006
Kansas Teacher Working Conditions
Survey, p 25.

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Conclusions

A long term solution calls for a comprehensive plan

Some policymakers have proposed ideas to solve the teacher shortage that are the equivalent of pouring a bucket of water on an inferno and hoping to extinguish the flames. A few solutions are more like pouring gasoline on the inferno. Too much time is being spent on finding quick and cheap fixes to a problem that requires a long-term, comprehensive plan of attack.

One cannot – and should not expect to – solve the teacher shortage problem overnight. That is why the Kansas NEA proposes taking on the issue at a variety of levels and with a variety of solutions. These recommendations include:

- Examining four areas for improvement...
 1. Preservice including middle school and high school programs and post-secondary teacher education programs,
 2. Entry into the profession and what programs and services will reduce the attrition rate of new teachers,
 3. Continuing service to the profession and what programs and services will encourage teachers to view education as a long-term career option that allows one to provide for a family, and
 4. Returning prestige and respect to a profession that has suffered from nearly 30 years of relentless attacks.
- Approaching the problem in a systemic way...

We cannot expect to solve the problem unless we are willing to view education as system that includes progression through a career and a variety of supports within the system. Such supports include:

6. Induction and mentoring,
 7. Time and resources,
 8. Professional development,
 9. Professional empowerment, and
 10. A humanistic approach to human resources
- Viewing teachers as part of the solution, not the problem...

We must stop the practice of ***imposing ideas on the teachers*** and start the practice of ***collaborating with the teachers***.

In conducting the 2006 Kansas Teacher Working Conditions Survey, we have for the first time given credence to what the teachers think and feel about serving our schools. It is imperative that the learnings of that survey be taken to heart and form the framework for discussions about making a school the kind of environment that encourages a career-long commitment.

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