

Testimony before Senate Education Committee

March 7, 2024

SB 532– Kansas Blueprint for Literacy

Mike O’Neal – Kansas Policy Institute

Oral testimony in SUPPORT

[mike@onealconsultingks.com](mailto:mike@onealconsultingks.com)

Madam Chair and members of the Committee

On behalf of the Kansas Policy Institute, thank you for the opportunity to appear in Support of SB 532 – which would enact the Kansas Blueprint for Literacy. It is heartening to see the consensus of support for the teaching of structured literacy. It is truly the “secret sauce” and the key to opening the door for student success. We applaud the effort that went into this draft and support its purpose and intent, although we do have some observations and suggestions as the Committee works to make this initiative succeed in both the immediate and extended future.

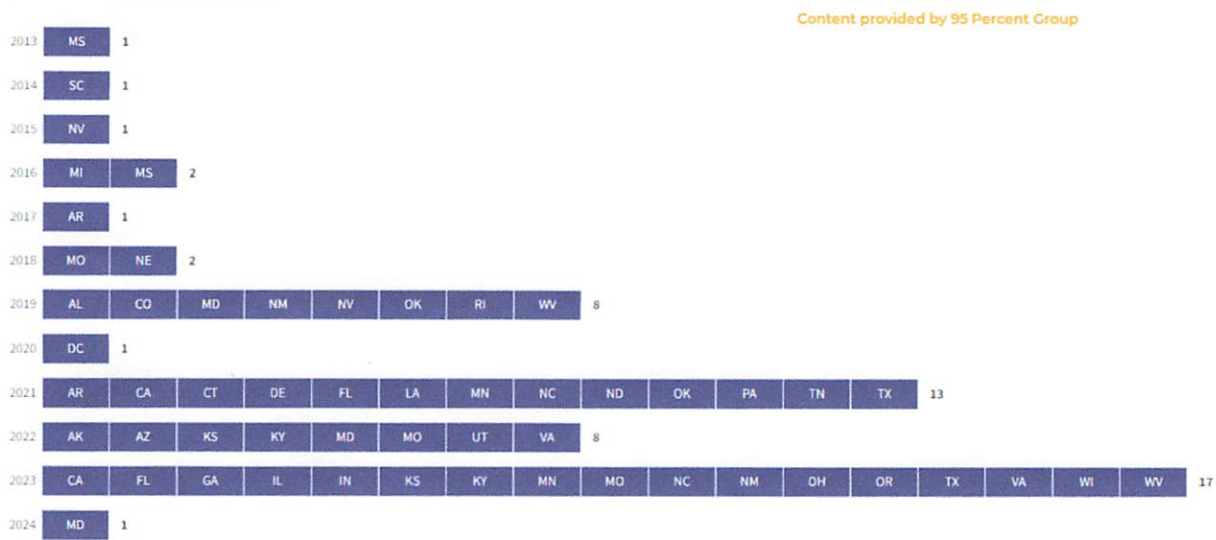
As an organization, when we focus on K-12 public education and suggested reforms to K-12, we focus on the micro vs. the macro. By that we mean that the individual student comes first, not the institution as a whole. Our main focus is on the actual “Johnny’s and Susie’s, more so than mere averages. In that regard we are encouraged by the recognition that this literacy blueprint is intended to focus on the individual needs of every student, no matter their circumstances, challenges, goals, aspirations and unique pathways to learning.

It is no exaggeration to say that we are in a “red lights and sirens” situation with student performance, all of which begins with literacy. For every year that passes another class of students is potentially left behind if evidence-based programs and practices are not being made available to them. In that vein, we suggest urgency, as has the Commissioner of Education.

We support the collaborative structure of SB 532. To borrow a phrase from *Gannon*, we need to be sure that not only the “structure” of the Blueprint but also the “implementation” of the Blueprint “is reasonably calculated such that all students succeed”. Once passed, the work begins to focus on Kansas students’ needs. It must. It is past time.

The chart below, taken from Education Week, shows the timeline for states recognizing the importance of the Science of reading. Mississippi led the way and became the model. But that was back in 2013. Since then, Kansas has been slow to recognize and respond to the science. A decade’s worth of students has passed through our K-12 doors since Mississippi. True, it’s better late than never but we owe it to our students to start now. This should not be another “work in progress” exercise. An “all hands on deck” mindset is needed.

## Which States Have Passed 'Science of Reading' Laws? What's in Them?



Our support for The Blueprint is tempered by the following observations and suggestions:

1. While some may be concerned about whether the timelines in the bill can be met, we are concerned that they may not be aggressive enough. We understand that the bill provides a timeline of 2030 to have 100% of the Kansas elementary teacher workforce achieve a micro-credential in the science of reading and structured literacy, leading to 85% of Kansas 4<sup>th</sup> graders achieving a Level 2 or above on the English language arts state assessment by 2033.
  - A. We suggest that the legislation acknowledge that the SBOE has recently issued a statement that *“requires all accredited schools in Kansas to use evidence-based methodology fully aligned with the Science of Reading, specifically Structured Literacy, to provide literacy instruction to students. The Kansas State Board of education prohibits the use of practices and pedagogy identified in research to be counterproductive to reading acquisition.”*
  - B. Members of the SBOE have even gone on public record as indicating they would not vote to accredit any school still using other methods outside of structured literacy. Given that under the current accreditation scheme, no district has lost accreditation, this is a remarkable statement if sincere and there is a commitment to follow through with accountability.
  - C. The SBOE has indicated that the above SBOE requirement needs to be implemented now because this is the time when school districts identify their budgets and choose curriculum materials for use in the next school year. Schools need to know what curriculum materials are appropriate and which are not.

- D. All this suggests that the timeline for implementing structured literacy is now, not some point in the future and that this implicates the need to require the teaching of structured literacy as a condition precedent to qualifying for accreditation. At a minimum, teaching methods that have been shown to be counterproductive must be eliminated immediately as a condition of accreditation.
  - E. Instead of an ultimate out-year timeline, individual districts should have timelines for success as they come online with qualified teachers, starting now.
2. We suggest that a standard that finds acceptable 4<sup>th</sup> grade reading at Level 2 is, in fact, unacceptable. We are well aware of the debate that currently exists but believe there really is no justification for a standard that is anything other than proficiency (Levels 3 & 4).

A. The Court, in *Gannon IV*, articulated the issue very well, stating:

*“The new testing standards group students into four achievement levels. Level one is students who are not performing at grade level in a given subject. Level two comprises students who, while performing grade level work, are not doing so at a level of rigor considered “on-track” for college success. Level three is made up of students performing grade level work and are on track for college readiness. Level four are those students who perform above expectations.”*

...

*“We acknowledge the KSDE can sometimes change the labels for the student performance standards, the level of skills needed to meet those standards, and even the tests for measuring performance against standards. But through it all, the underlying purpose of the standards remains constant: here to determine educational proficiency in any given year.” (emphasis supplied)*

B. Dr. David Hurford, Reading research Scientist, Pittsburg State University, in presenting to the House K-12 Budget Committee on Jan. 23, 2024, stated:

*“Forty percent of our kids in Kansas are reading below the Basic level – which means they’re not reading. It’s criminal. I’m surprised that there aren’t class action suits.”*

- C. The Kansas 4<sup>th</sup> Grade reading assessments only meet the NAEP Basic standard, not Proficient. NAEP reports student achievement below NAEP Basic, which means a student can’t read.
- D. Our Kansas State Assessment for Fourth Grade ELA is not aligned to the rigor of NAEP's proficiency standard; indeed, the Fourth Grade ELA assessment is aligned to NAEP's Basic level. And, in the 2022 NAEP

assessment, a full 40% of Kansas 4th graders scored "Below Basic" on that assessment.

- E. Commissioner Watson, at the Dec. 12, 2023 SBOE meeting, said the KSDE uses the term "academically prepared for post-secondary success", which is limited to Levels 3 & 4. Levels 3 & 4 are considered proficient when doing mandatory reporting to the Feds.
- F. Commissioner Watson, at the March 14, 2023 SBOE meeting, noted that 22 school districts had less than 20% of their students at Levels 3 & 4 and 26 school districts were below 35% post-secondary effectiveness. He went on to say:

*"One of the things I'm going to keep asking you—We need to have a sense of urgency. We need to have a sense of urgency. Right now, as KU prepares, and K-State prepares for NCAA Tourney, there's a sense of urgency. Because if they get beat—guess what—the season is over. How do we create that sense of urgency that we can get this work done sooner rather than later, so that every student has the opportunity to learn?"*

- G. We suggest that the reading proficiency standard be above Level 2 at a minimum.

- 3. Regarding the 85% goal for 4<sup>th</sup> grade reading, the research tells us that the percentage of students who can be taught to read is closer to 95%. There is a plethora of research on the topic of "every child can read". Without amendment, "success" could be achieved by having 85% of students in Level 2 by 2033. This is not success. It would be better to have a goal of 75% in Levels 3 or 4.
- 4. If you look at state assessments for 4th grade reading, it appears that 81% of students achieve Level 2 or higher on those state tests. But we know, from the alignment with NAEP, that this is a skewed picture. When you go a grade level away from the state 4th grade ELA assessment, you'll see only 68% of third graders score at Level 2 or higher; and that same percentage, 68% of 5th graders score in Level 2 or higher. Another reason why we should be demanding Levels 3 and 4.
- 5. We have been dismayed by testimony given in the K-12 Budget Committee recently by a public education advocate. At the hearing on HB 2650 relating to an at-risk student accountability plan, the United School Administrators' lobbyist stated:

***"To expect an at-risk kid to get to a 3 or 4, that is not realistic."***

This shocking attitude and perception toward these students is unacceptable and can't be allowed to infect literacy training or standards. We hope and expect that, as teachers are trained in the science of reading and structured literacy, they are exposed to the large body of research that shows that as few as 5% of students may not have the ability to master reading effectively.