

MINUTES

LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE

August 24-25, 2006
Room 514-S—Statehouse

Members Present

Representative Kathe Decker, Chairperson
Senator Marci Francisco
Senator Mark Taddiken (August 24)
Senator Ruth Teichman
Senator John Vratil (August 24)
Representative Barbara Ballard (August 24)
Representative John Faber
Representative Deena Horst
Representative Steve Huebert (August 24)
Representative Eber Phelps
Representative Jo Ann Pottorff

Members Absent

Senator Roger Pine
Senator Jean Schodorf, Vice-Chairperson

Staff

Carolyn Rampey, Kansas Legislative Research Department
Sharon Wenger, Kansas Legislative Research Department
Michele Alishahi, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
Theresa Kiernan, Office of the Revisor of Statutes
Art Griggs, Office of the Revisor of Statutes

State Department of Education Staff

Dale Dennis, Deputy Commissioner

Conferees

Katrin Osterhaus, Senior Auditor, Legislative Division of Post Audit
Dr. Wade Anderson, Director of Research, Kansas-National Education Association
Dr. Edward E. Berger, President of Hutchinson Community College and Area Technical School and Chair, Finance Committee, Kansas Association of Community College Trustees
Dr. David Riest, President, Highland Community College and Chair, Council of Presidents, Kansas Association of Community College Trustees
Darrell Shumway, Member, Pratt Community College Board of Trustees and Chair, Kansas Association of Community College Trustees
Sheila Frahm, Executive Director, Kansas Association of Community College Trustees
William Sailors, Director, Center for Innovative School Leadership
Dr. Robert Masters, Vice-President for Academic Affairs, Kansas Board of Regents
Terri Roberts, Executive Director, Kansas State Nurses Association
Diane Lindeman, Director of Student Financial Aid, Kansas Board of Regents

Thursday, August 24

School District Audit Report on School District Personnel Shortages

Katrin Osterhaus, Legislative Division of Post Audit, presented a performance audit entitled *Reviewing Issues Related to Developing and Retaining Teachers and School Principals*. (Supplemental information on teacher shortages by subject area is [Attachment 1](#). The audit is [Attachment 2](#).) Ms. Osterhaus reported that nationally about 16 percent of teachers change jobs each year, with half of the turnover caused by teachers who move between schools and the other half caused by teachers who leave the profession. Difficult teaching areas to fill are math and vocational education. Schools with high poverty also have greater turnover.

Information for Kansas contained in the audit shows that almost 6 percent of all teaching positions are vacant or are not filled by a fully qualified teacher. The term “fully qualified teacher” can mean several things, but most likely indicates the lack of one or more requirements, the most common being a proper teaching endorsement for the individual’s assignment. The most severe teacher shortages are in high-poverty districts, where 8.6 percent of all teaching positions are vacant or filled by teachers who are teaching out-of-field. Southwest Kansas has the greatest shortage (8.5 percent). By subject area, shortages are worse for special education (17.2 percent) and foreign language (11.2 percent).

About 16 percent of Kansas teachers change jobs each year (the same as the national percentage), with almost 9 percent leaving the system and more than 7 percent moving between schools. Attrition is worse among high-poverty districts (a 10 percent attrition rate compared to 8 percent elsewhere). Teachers tend to move from west to east and away from rural and high-poverty districts.

Other findings in the audit:

- Kansas’ starting salary for teachers ranked 6th nationally in school year 2004-05, but salaries for experienced teachers ranked about 36th, with the overall salaries

for Kansas teachers being 33rd nationally after adjusting for regional cost differences. The auditors conclude that these statistics could indicate that the long-term earning potential for Kansas teachers is limited.

- Annual salaries for Kansas teachers are low compared to similar professions, but hourly pay is comparable.
- Researchers have found a positive relationship between salaries and teacher retention, but not between salaries and student performance. However, the auditors caution that the relationship between salaries and teacher retention must be considered along with other factors which affect retention, such as working conditions.
- To attract teachers, best practices cited by the literature are to improve salary and benefits, offer or improve other financial incentives, use innovative recruitment strategies, and reduce barriers to becoming a teacher.
- To retain teachers, best practices cited by the literature are to increase high-quality preparation and transition programs, improve teacher working conditions, and increase earning potential.
- To develop teachers, best practices cited by the literature are to provide targeted professional development by giving schools greater control and to commit adequate resources to professional development.
- To attract principals, best practices cited by the literature are to use innovative recruitment strategies, provide financial incentives, and reduce barriers to becoming a principal.
- To develop principals, best practices cited by the literature are to provide practical training, include opportunities for peer support and coaching, and offer development through a variety of providers.

Supplemental information provided by the auditors on the subject areas with the highest number of teachers who are provisional, have no license, or are not fully endorsed are English as a Second Language (16.9 percent), Special Education (14.9 percent), Foreign Language (10.5 percent), and Vocational Education (9.3) percent.

Survey of Kansas Teachers and Principals

Dr. Wade Anderson, Kansas-National Education Association, discussed the results of a survey concerning working conditions of teachers and administrators. The survey, the Teacher Working Conditions (TWC) survey, has been administered to educators across the nation and has been used to implement funding and policy changes in a number of states (Attachment 3).

Dr. Anderson explained that research shows that working conditions have a bearing on student achievement and teacher retention. Among the most important findings to emerge from TWC research are the following:

- Teacher working conditions are an important indicator of student achievement, an example being that higher school leadership correlates with a higher number of students at or above grade level.
- Teacher working conditions make a difference in teacher retention.
- Leadership is critical to improved teacher working conditions. According to Dr. Anderson, in every state in which the survey has been given, teachers rate their working conditions one full point lower than school administrators.
- Teachers view working conditions similarly, regardless of years of experience, degree level, or other variable.
- There is a high correlation between certain working condition variables, such as leadership and professional development. For example, good administrators tend to promote high-quality professional development programs.

The Kansas survey was funded by grants from the National Governor's Association, the National Education Association, and the Kansas-National Education Association. The response rate for Kansas was 53 percent, with educators being able to participate in the survey by responding on-line ([Attachment 4](#)). Committee members questioned whether a random sample would have resulted in more accurate data than the self-selected sample, but Dr. Anderson said the survey of Kansas educators had to use the same methodology used in other states and no other option was available.

Several of the key findings based on the Kansas survey relate to leadership. For example, "teacher leadership" was cited by 36 percent of the respondents as the aspect of the work environment that most affected their willingness to keep teaching at their school, an aspect selected over "time during the work day" (16 percent), "school facilities and resources" (22 percent), "teacher empowerment" (22 percent), and "professional development" (4 percent). On another question, "support from school administrators" was selected by 58 percent of the respondents as the most important influence on their future plans, over such influences as "teaching assignment" (43 percent), "salary" (42 percent), and "cost of living in the community where the school is located" (24 percent). (The second highest influence was "effectiveness with the students I teach", selected by 52 percent.)

Most interesting was the difference in perception between teachers and principals regarding leadership, with principals grading themselves higher on each item indicated. For example, 88 percent of the principals who responded said that there is an atmosphere of trust and mutual respect within the school, compared to 60 percent of teachers. Ninety-five percent of the principals said school leadership consistently enforces rules for student conduct, compared to 53 percent of the teachers. Dr. Anderson said, in general, teachers in Kansas play a lesser role at the school level and do not feel centrally involved.

Montoy et al. v. State of Kansas

Staff presented a memorandum ([Attachment 5](#)) which summarizes the Kansas Supreme Court decision in *Montoy et al. v. State of Kansas* in which the Court ruled that the Legislature has substantially complied with the Court's prior orders to correct flaws in the School Finance Act. In its order, the Court states that the constitutionality of 2006 SB 549 was not before it and that the Legislature has substantially complied with its prior orders because it will have provided at least \$755.6 million in additional funding for elementary and secondary education by school year 2008-09.

According to the Supreme Court, 2006 SB 549 is new legislation and any challenge to its constitutionality must be filed as a new action in district court. The Court also lifted the stay it had placed on two provisions contained in the 2005 legislation and dismissed the appeal.

Prior Studies of Community Colleges

The staff presented a memorandum ([Attachment 6](#)) which gives background information about community colleges and includes a short summary of 24 studies of postsecondary education spanning the years 1972 through 1998. The review concludes with the enactment of the Higher Education Coordination Act in 1999, which changed the community college funding mechanism and transferred supervision of community colleges from the State Board of Education to the Kansas Board of Regents.

Current Issues Concerning Community Colleges

Dr. Edward Berger, President of Hutchinson Community College and Area Technical School, speaking as Chair of the Finance Committee of the Kansas Association of Community College Trustees, gave an overview of the community college role and mission ([Attachment 7](#)). Also in attendance to respond to questions were Dr. David Reist, President of Highland Community College and Chair of the Council of Presidents of the Kansas Association of Community College Trustees; Darrell Shumway, Member of the Pratt Community College Board of Trustees and Chair of the Kansas Association of Community College Trustees; and Sheila Frahm, Executive Director of the Kansas Association of Community College Trustees.

Dr. Berger told the Committee that community colleges are responsive, affordable, and accessible. He said they have ties to business and industry, school districts, universities, and community based organizations. He said community colleges traditionally have been a low-cost alternative for students who seek additional education but noted that student tuition continues to rise, with the average hourly rate increasing from \$30.89 in school year 1999-2000 (\$463 per semester for a full-time student) to \$43.81 in school year 2006-07 (\$657 per semester for a full-time student), an increase of about 40 percent. Dr. Berger said community college enrollment continues to grow, with full-time equivalency increasing from 35,487 students in school year 1999-2000 to 40,211 in school year 2006-07, a 13.3 percent increase.

Dr. Berger reviewed the major provisions of the Higher Education Coordination Act (1999 SB 345) as they affected community colleges:

- Community college coordination was moved from the State Board of Education to the Kansas Board of Regents.
- Funding for community colleges was changed from a per-credit hour basis to a block grant linked to the per-full-time equivalent (FTE) pupil appropriation for lower division courses at the three regional state universities, and was supposed to increase in equal increments over a four-year period from 50 percent to 65 percent.
- Local tax relief was provided by the requirement that 80 percent of increased state aid over the prior year had to be dedicated to tax reduction.

- County out-district tuition was phased out over a four-year period, with the lost revenue from the county made up by the state.

Dr. Berger reported to the Committee that, despite the intentions behind SB 345, revenue shortfalls have caused the reality to be that the goal of community college state aid equaling 65 percent of the FTE appropriation to the regional universities never has been attained. Instead, implementation of the act peaked at 55 percent in the second year of the four-year plan. According to Dr. Berger, it would take an additional \$116.0 million to fund the 65 percent level with the current community college enrollment. Further, institutions have lost a total of \$4.2 million in recent years because the Legislature has not appropriated money to local units from the Local Ad Valorem Tax Reduction Fund. In all, state aid to community colleges has increased from \$58.7 million in school year 1999-2000 to \$96.2 million in school year 2006-2007, an increase of \$37.5 million (63.8 percent).

Dr. Berger told the Committee that, although there is a tax-reduction feature in the legislation, failure of the Legislature to adequately fund the state aid portion of the funding mechanism resulted in mill levy reductions only in the first two years after the legislation was implemented. Dr. Berger said that currently property tax support for community colleges is higher than before the implementation of SB 345, with total mills levied for the institutions being 469.18 in school year 1999-2000 compared to 496.02 in school year 2005-06.

Dr. Berger said the Kansas Association of Community College Trustees remains committed to the goals of the Higher Education Coordination Act, but wants the Legislature to fulfill its commitment to adequately fund the legislation. The Association endorses performance funding as a way to ensure continuous improvement but requests a new, separate revenue source for business and industry training (perhaps the Economic Development Initiatives Fund) and a differential funding source for developmental programs. Dr. Berger pointed out the particular funding problems associated with providing high cost programs, such as allied health and fine arts and addressed the need for funding to pay for facility repairs and upgrades.

Activities of the Center for Innovative School Leadership

William Sailors, Director of the Center for Innovative School Leadership, made a report to the Committee on the Center's activities ([Attachment 8](#)). The Center, which is located within the Jones Institute for Educational Excellence at Emporia State University, was created by the Legislature in 2004 and involves Emporia State, Fort Hays State, and Pittsburg State Universities. Its purpose is to work with public school districts to identify best practices, cost savings, and potential efficiencies in the areas of leadership, teaching and learning, facilities management, and human resources.

Mr. Sailors told the Committee that the review process for a district takes about three months. Participation is voluntary on the part of the school district. Once a school district indicates it wants to participate, the Center surveys administrators and board members, teachers, classified staff, parents and patrons, and students on issues such as efficiency of the central office, adequacy of the district's educational programs, quality and cleanliness of facilities, and safety of the school environment.

After the surveys are completed, the district provides information to the Center on such things as safety plans, board agendas, staff development activities, and human resources. The material is used by team members who conduct on-site visits to the district that last two to three days. Teams are comprised of individuals who represent business, civic, and school environments and spend their

time interviewing selected groups at the district, including parents, teachers, board members, administrators, and classified staff. After the on-site visit, each team member reports findings in writing to the Center, which uses the reports to compose an executive summary of the review. The executive summary is an interim report which is presented to the district board of education approximately four to six weeks after the conclusion of the on-site review. After the presentation to the board, a final report is created and given to the district's superintendent. The final report includes all information pertaining to the effectiveness and efficiency review, including team member reports, comparative data, results of the surveys, and a detailed conclusion of the Center's findings.

Mr. Sailors said that during the 2005-06 school year, efficiency reviews were conducted in the following six school districts:

- USD 210 (Hugoton)
- USD 235 (Uniontown)
- USD 355 (Ellinwood)
- USD 423 (Moundridge)
- USD 418 (McPherson)
- USD 218 (Elkhart).

Four districts have asked to participate in reviews during the 2006-07 school year and the Center expects that more will be added.

Mr. Sailors gave examples of some of the fiscal and efficiency recommendations that have been made to school districts. They include:

- Eliminate a teaching position.
- Put controls on thermostats to reduce energy costs.
- Write an employee handbook.
- Conduct annual employee reviews.
- Review site council procedures and emphasize the council's importance.
- Create a director of maintenance and offer additional development opportunities for custodial staff.
- Provide training for newly hired staff.

Friday, August 25

Nursing Shortage Initiative Update

Dr. Robert Masters, Kansas Board of Regents, provided information on activities of the Kansas Board of Regents to address the nursing shortage in Kansas ([Attachment 9](#)). The Board had been asked by the 2005 Legislature to prepare a report which would assess the cost of increasing capacity for educating registered professional nurses by 25 percent and to submit a time line for expanding the system to accommodate up to 250 more nursing students each year. The Board reported that the total number of nurses needed by 2010 is 28,973, of whom 11,350 will be new nurses.

Dr. Masters told the Committee that the Board staff concluded that the problem was not the number of potential nursing students in the pipeline, but the nursing training capacity of the education system in terms of qualified nursing faculty, clinical access, classrooms, and equipment needs. The Board's recommendations to increase the number of registered professional nurses are the following:

- Initiate a Tuition Forgiveness Program funded by the Legislature which is targeted to nurses with a bachelor of science degree who are willing to obtain a master's degree in nursing, remain in Kansas, and teach nursing at the postsecondary level.
- Provide 22 eligible nursing programs the opportunity to hire additional nursing teaching faculty. (The 22 eligible nursing programs are public four-year universities and community colleges that have nursing programs.)
- Provide 22 eligible nursing programs the opportunity to purchase nursing clinical equipment (patient simulators), supplies, and facility upgrades.

Dr. Masters said the time line to successfully increase the number of registered professional nurses in Kansas is 10 years.

The 2006 Legislature appropriated a total of \$3.4 million, which will require \$2.3 million in matching funds from participating institutions. The 10-year initiative is expected to total \$30.0 million, with \$22.0 million coming from the state and \$8.0 million in matching funds coming from participating educational institutions. The distribution for FY 2007 of the \$3.4 million is as follows:

- Nursing faculty scholarships—\$200,000 from the State General Fund, plus a \$100,000 match.
- Nursing faculty salaries and supplies—\$1.2 million from the State General Fund, plus a \$1.2 million match.
- Nursing equipment upgrades—\$2.0 million from the State General Fund, plus a \$1.0 million match.

The total available in FY 2007 from the State General Fund and matching funds is \$5.7 million. The five eligible universities with graduate nursing programs submitting a proposal requesting scholarship funds based upon the cost of delivering a master's degree or doctoral degree in nursing. The 22 public universities and community colleges with eligible nursing programs competed for grants for faculty salaries and supplies, nursing equipment, and facility upgrades.

Dr. Masters told the Committee that the Board staff will monitor implementation of the program and also report on the effectiveness of the program in fulfilling its long-range goal of increasing the number of nurses in Kansas.

Terri Roberts, Kansas State Nurses Association, provided additional information about the seriousness of the nursing shortage in Kansas ([Attachment 10](#)). She said the shortage nationwide is attributable to retirements, fewer individuals opting to become nurses, and technology which is increasing life expectancy. She said that, according to the Kansas Department of Labor (2005), the number of positions for registered professional nurses is expected to increase by about 30 percent

from 2000 to 2010 (from 22,120 in 2000 to 29,040 in 2010). In addition, 4,470 replacement nurses will be needed, for a total projected increase of 11,390 over the ten-year period.

Specific data on nursing position vacancies for Kansas reported by Ms. Roberts indicate that, in 2006, almost 17 percent of licensed nurses were not in the workforce. There is a vacancy rate of 8 percent for registered professional nurses in hospitals, which equates to 663 FTE nurses needed in 129 hospitals. (The vacancy rate was 4.5 percent in 2005.) Commenting on the need for additional nurse educators, Ms. Roberts referenced the fact that there are faculty salary disparities in certain parts of the state, with Western Kansas having particularly low salaries.

Ms. Roberts said various studies of nursing shortages identify the same needs. These include creating and maintaining a workplace environment that retains nurses; increasing the nursing education infrastructure to produce more nurses; increasing salaries; and increasing staffing levels.

Ms. Roberts said that in Kansas there are particular efforts being made to increase the awareness of nursing as a career and to continue to work toward smoother articulation policies that make it easier to transition from certificate nursing programs for licensed practical nurses to the associate and baccalaureate degree programs for registered professional nurses.

Scholarship Program Service Agreements

The staff reviewed service-based financial assistance programs, focusing on eligibility requirements, the amount of awards, limitations on awards, and service requirements ([Attachment 11](#)). The review was prompted by a request by Senator Laura Kelly to review state scholarship programs that have service agreements in order to determine whether it would be beneficial to require more uniformity in the agreements. Currently, most service scholarships require the recipient to work in Kansas one year for each year of scholarship, but examples of different requirements are the Mathematics and Science Teacher Service Scholarship enacted in 2005, which requires two years of service for one year of scholarship, and the Special Education Teacher Service Scholarship, enacted in 2006, which requires three years of service for one year of scholarship.

State Scholarships Administered by the Kansas Board of Regents

Diane Lindeman, Kansas Board of Regents, provided an overview of student financial assistance programs administered by the Kansas Board of Regents ([Attachment 12](#)). Ms. Lindeman informed the Committee that the goal of the Regents is that financial aid should be available to all qualified residents of the state to ensure access to educational opportunities. She said access and choice are the primary goals of the programs and that state-funded assistance is a part of a partnership that involves the students' families, the private sector, educational institutions, and other governmental entities.

Interim Topics

The Committee reviewed the list of interim topics ([Attachment 13](#)) and agreed to study or receive a report on each item listed except the request to study academic freedom at Kansas universities. The Committee also decided not to participate in a joint meeting with the State Board

of Education. In addition to items on the list, members of the Committee expressed interest in the following:

- Request additional information about the Osteopathic Medical Service Scholarship, which has a relatively high percentage of graduates who fail to fulfill their service obligation (Representative Pottorff).
- Analyze revenues and expenditures for state universities by source (state, federal, student tuition), with particular attention to tuition as a source of revenue and expenditure (Representative Decker).
- Address inequities in community college funding due to the enrollment-based formula which can result in funding instabilities (Senator Teichman).
- Ask the Kansas Association of School Boards to present a report on school district collaborative activities (Representative Decker).
- Review 2006 Legislation requested by three school districts that wanted to form a cooperative (Representative Decker).
- Review most recent information relating to Medicaid payments to school districts, including concerns that payments may be in jeopardy (Representative Decker).
- Receive update on status of federal funding under the No Child Left Behind Act (Representative Decker).
- Review teacher education programs with particular emphasis on the extent to which programs prepare teachers to work with students who are English language learners (Representative Decker).
- Make a summary of the findings of the report by Standard and Poor's available to the Committee (Representative Decker).
- Receive an update on the development of Kansas Early Learning Guidelines, a multi-agency effort to identify resources needed to assure that students enter school ready to learn (Representative Decker).
- Review information on vocational education presented to the House Select Committee on School Finance (Representative Decker).
- Review issue of the definition of residency for tuition purposes for state universities (Representative Pottorff).
- Review the time line for school district budget preparation, including the timing of legislative appropriations and applicable statutory deadlines for budget submission (Senator Francisco).
- Review the current status of charter school legislation in Kansas, the availability of federal funding for charter schools, and recent reports on the effectiveness of charter schools (Representative Decker).

- Review a National Conference of State Legislature's program which works with Hispanic students and the larger Hispanic community to help Hispanic students be ready to enter school (Representative Horst).

The meeting was adjourned.

Prepared by Carolyn Rampey

Approved by Committee on:

September 26, 2006
(date)