



Oral Opponent Testimony before the
House K-12 Education Budget Committee

on

HB 2540 – Requiring moneys attributable to at-risk student weighting be expended for approved at-risk educational programs

by

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Kansas Association of School Boards

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Madam Chair, Members of the Committee:

KASB appears in opposition to this because of two provisions that could weaken the effectiveness and reporting of programs serving at-risk students.

At our annual Delegate Assembly in December, KASB members specifically voted to endorse the State Board of Education's Kansans Can Vision and Outcomes and school design principles.

That vision is: Kansas leads the world in the success of each student.

Those outcomes are:

- Social/emotional growth measured locally
- Kindergarten readiness
- Individual Plan of Study focused on career interest
- High school graduation rates
- Postsecondary completion/attendance

We know we will not make progress on these outcomes without addressing the needs of at-risk students and improving their success.

How does **HB 2540** address these issues? As we understand the bill, it does three things.

1. It requires districts to transfer that portion of state foundation aid that is directly attributable to such district's at-risk student weighting and high-density at-risk student weighting, if any, to the district's at-risk education fund.

Comment: This is already practice and, as the LPA audit noted, districts are already spending more money on at-risk programs than they receive for at-risk weightings.

2. The bill specifies that money from state at-risk funding can only be spent on programs and services included in a list approved by State Board of Education and published on the Department of Education's website with a link to such list displayed on the website homepage.

Current law already requires the State Board to identify and approve evidence-based best practices for at-risk educational programs and instruction of students receiving at-risk program services and requires school districts to spent state at-risk funds only on such programs approved by the board. But the audit found that some school district programs are not included in any “list” of approved programs. The state department says such programs are approved by the State Board through local consolidated plans.

Comment: KASB has never objected to the requirement that the State Board of Education approve at-risk programs. We believe there is a role for the state to provide guidance to local districts in the best practices for educational results, and that role is best played by the State Board and Department of Education.

Objection and Recommendation: However, we do not believe that all wisdom resides at the state level and that there may be evidence-based programs and practices that might be discovered or developed by local districts not on any list of programs, especially as schools go through the redesign process. If this bill is advanced, we would recommend an amendment that allow districts to apply for a waiver from the Board for other programs if they can be justified.

3. The bill adds to current district reporting requirements by including the number of students served or provided assistance under each program and “specific academic performance progress achieved through each program provided.” While state law currently requires reporting “results” of at-risk programs and services, it does not specify academic results.

Comment: We have no objection adding a specific requirement for reporting academic results, as long as it is understand progress on non-academic results, such as attendance, behavior, emotional wellness and safety are necessary foundations for academic results, and may need to be addressed before academic results will improve. *The Legislature itself has realized this by funding mental health programs and school safety grants and supporting efforts to address bullying.*

Objection and Recommendation: The wording of the bill suggests that districts would have to report academic performance and other progress on “each program provided.” Because districts may be using multiple programs for at-risk students, it may be difficult if not impossible to determine the unique impact of each program. We would recommend requiring a report on the overall progress of at-risk students.

As you consider these recommendations, we would offer some additional content to the discussion of at-risk funding.

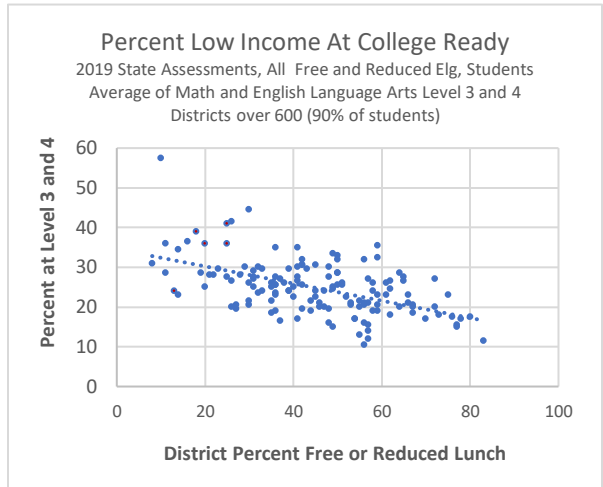
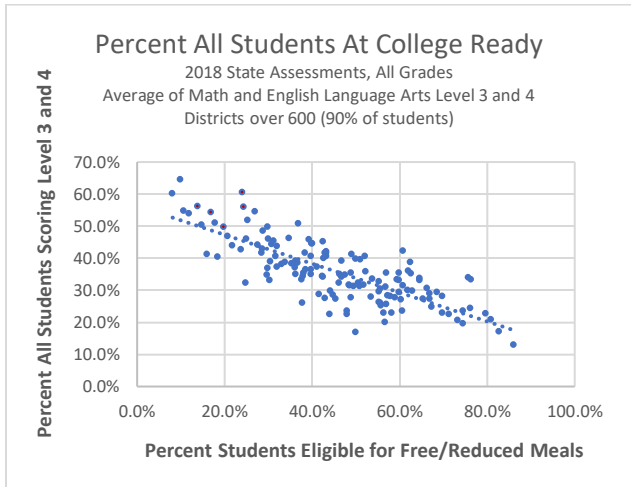
The text of this bill, on page 2, beginning on line 19, shows that current law already allows districts to spent high-density at-risk funding for purposes not identified as best practices if the district shows improvement within five years. Current law defines improvement to “*include, but shall not be limited to,* the following:

- (A) The percentage of students at grade level on state math and English language arts assessments;
- (B) the percentage of students that are college and career ready on state math and English language arts assessments;
- (C) the average composite ACT score; or
- (D) the four-year graduation rate.”

Note the law says OR, suggesting that improvement on any of the four could be considered improvement; and allows consideration of other factors and a five-year period to determine results.

Here is some history for each of these areas and more, beginning with some important context.

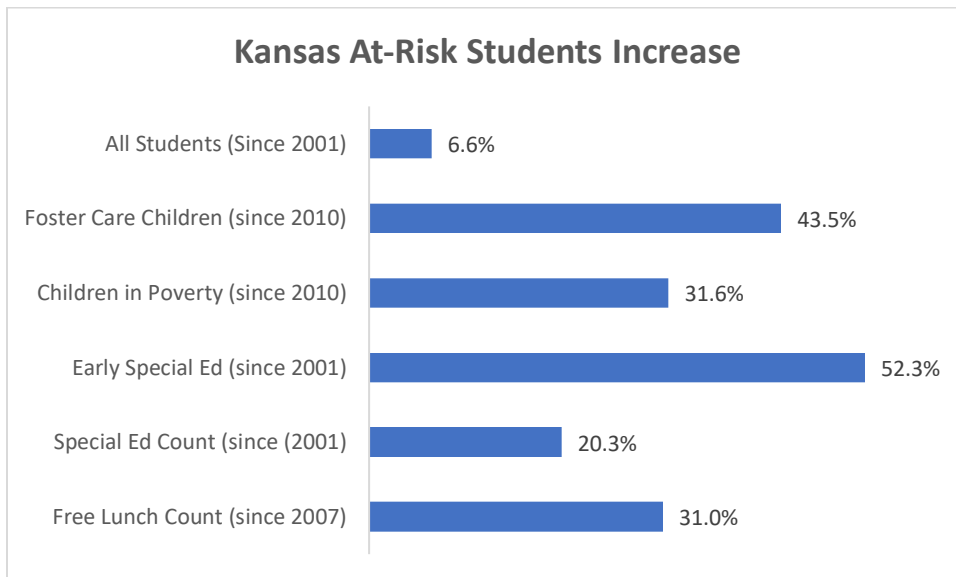
Districts with higher percentages of low-income students have lower student achievement, and the low-income students have more challenges in district with higher percentages of low-income students.



The first chart shows the strong correlation between low income students and performance on state scores – why Kansas has an at-risk weighting and used free lunch as proxy. On average, income impacts achievement.

The second chart shows that even among low income students, higher percentages of low free lunch students tends to lower performance – why Kansas has a high-density weighting.

The number of low-income students – and the number students with other “risk factors” - has been increasing faster than the overall student population.

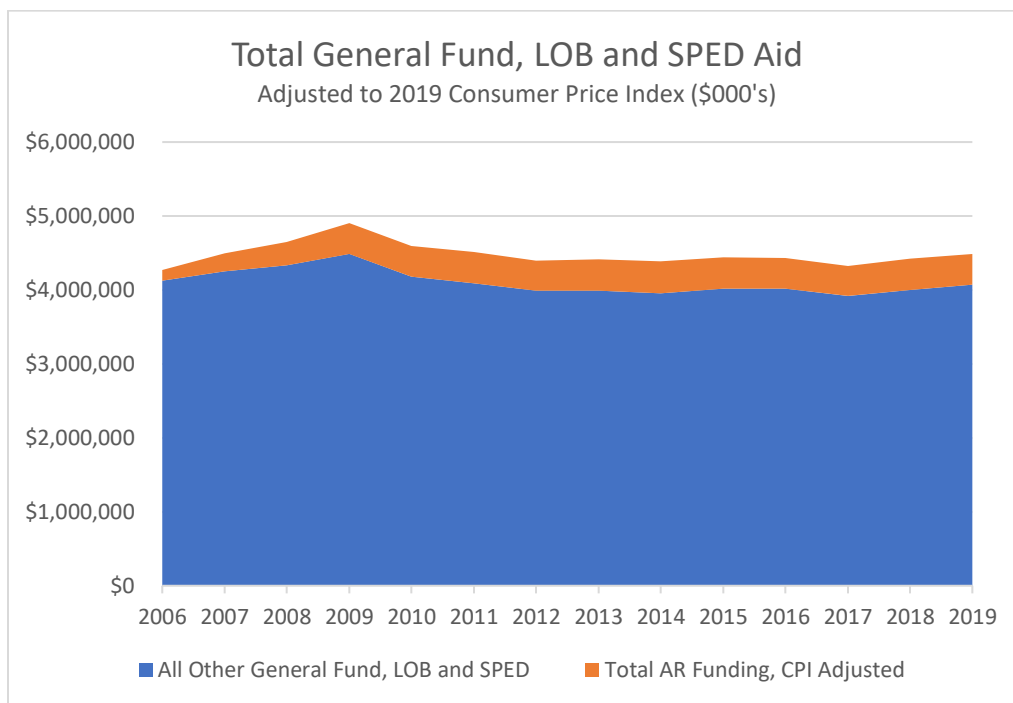
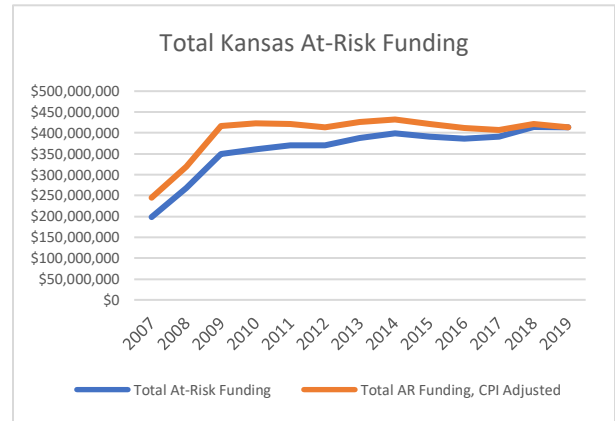
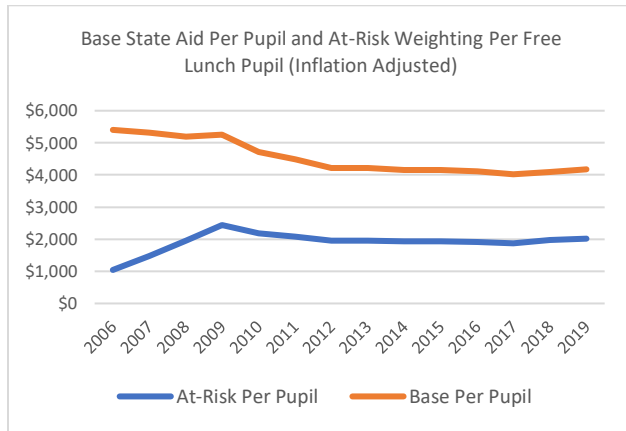


This included low income students eligible for free and reduced-price meals; even lower income students below the poverty line; students with disabilities; students in foster care, and students with severe mental and emotion needs as measured increased suicide rates.

Despite increasing high needs, at-risk students, the actual value of at-risk funding has declined over the past 5-10 years.

At-risk weighting (both regular and high density) is a percentage of base state aid, which remains well below previous high levels when adjusted for inflation and will not be restored to that level until AT LEAST the six-year *Gannon* phase-in is completed. As a result, school funding for both regular and at-risk programs have less value than a decade ago.

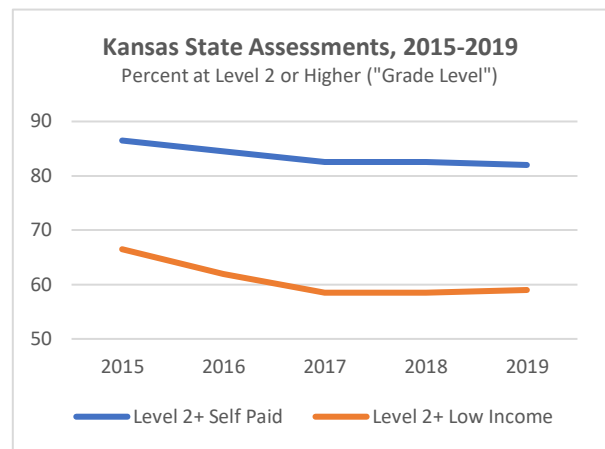
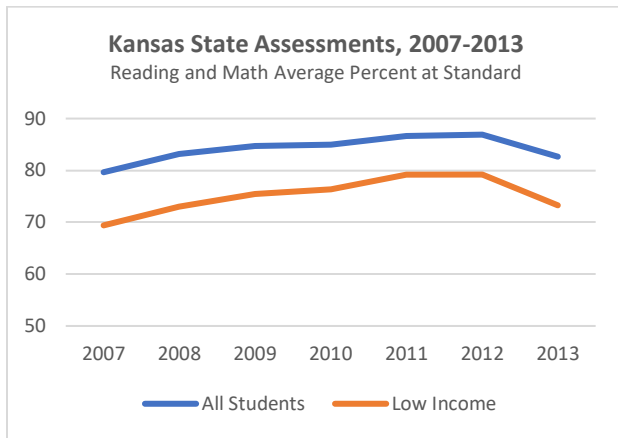
At-risk funding as a share of total school funding has also been declining.



Understanding that K-12 funding increased in the late 2000's and then declined or flattened compared to inflation from 2009 to 2017 before beginning a six-year phase-in, and the number of potentially at-risk students has increased, let's review the improvement measures in current law.

(A) The percentage of students at grade level on state math and English language arts assessments

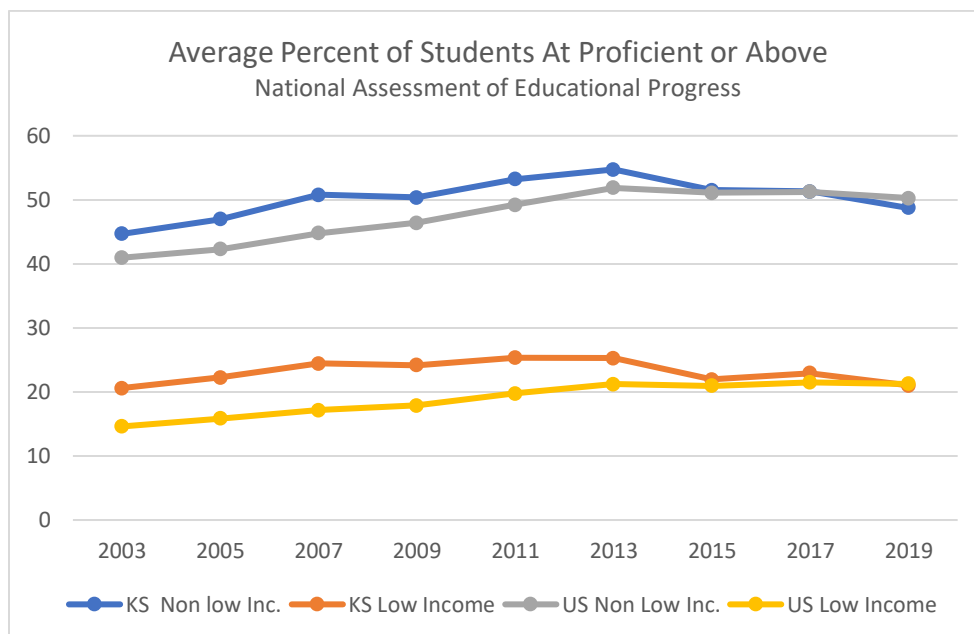
After increased at-risk and total school funding resulted from the *Montoy* decision in 2006, more students began meeting basic standards on the previous state assessment tests until 2012.



After school funding began to decline, in either actual or inflation-adjusted terms from 2009 to 2017, state assessment results declined in 2013 and continued to fall during the first years of a new testing system beginning in 2015. After additional funding following *Gannon* began in 2018 (but will not be completed until 2023), assessment declines leveled off.

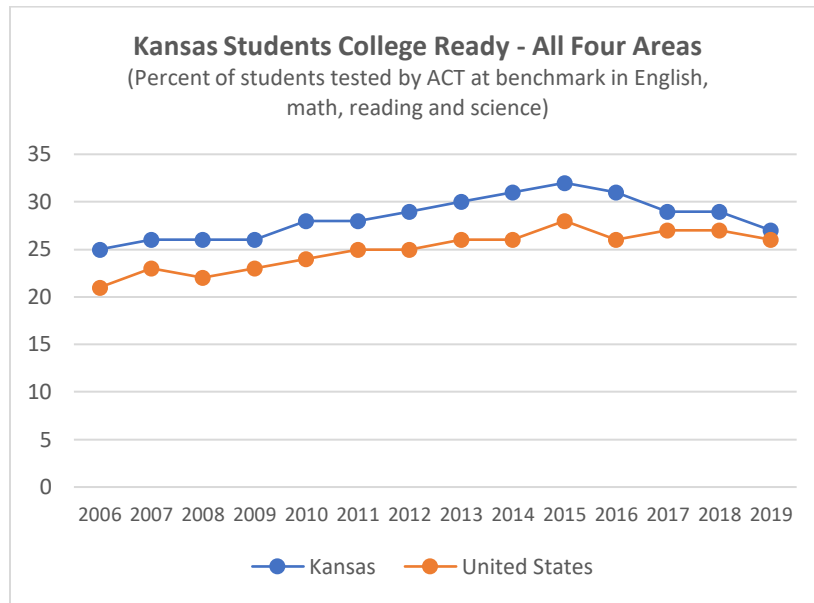
(B) the percentage of students that are college and career ready on state math and English language arts assessments.

Kansas assessments at “college ready” show a similar pattern to “grade level,” so for additional context, we are showing Kansas scores on the National Assessment of Educational Progress for “proficient,” which are similar to Kansas results at “college ready.” The percent of Kansas students meeting that benchmark rose from 2003 to around 2011, and generally declined from 2011 to 2019.



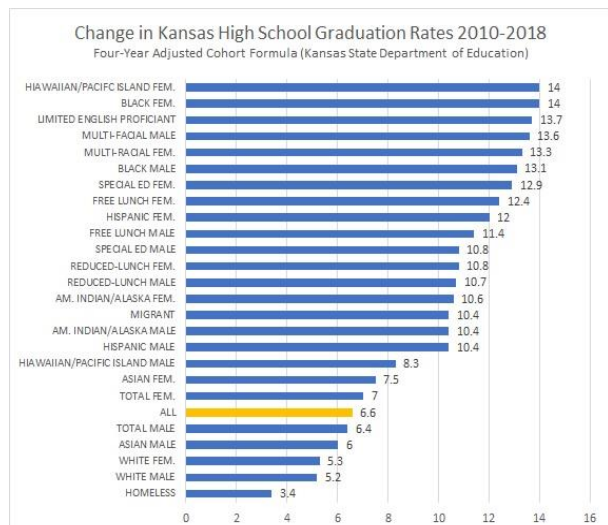
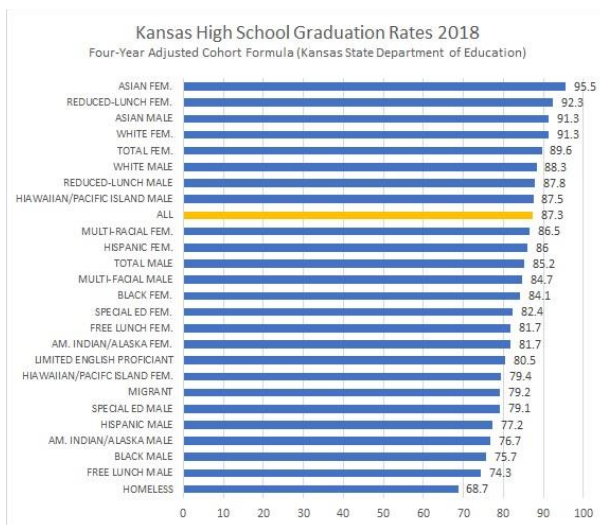
(C) the average composite ACT score

Rather than using the composite ACT, KASB tracks the percentage of students tested who meet ACT’s “college ready” benchmarks in all four areas tested. Note that Kansas was improving steadily from 2006 to 2015, including the period when funding increased, before declining over the past four years after eight years of funding that was cut or fell behind inflation, ACT results lag because a significant number students reported in each graduating class actually take the test before their senior year. (ACT does not report results by free or reduced-price meal eligibility.



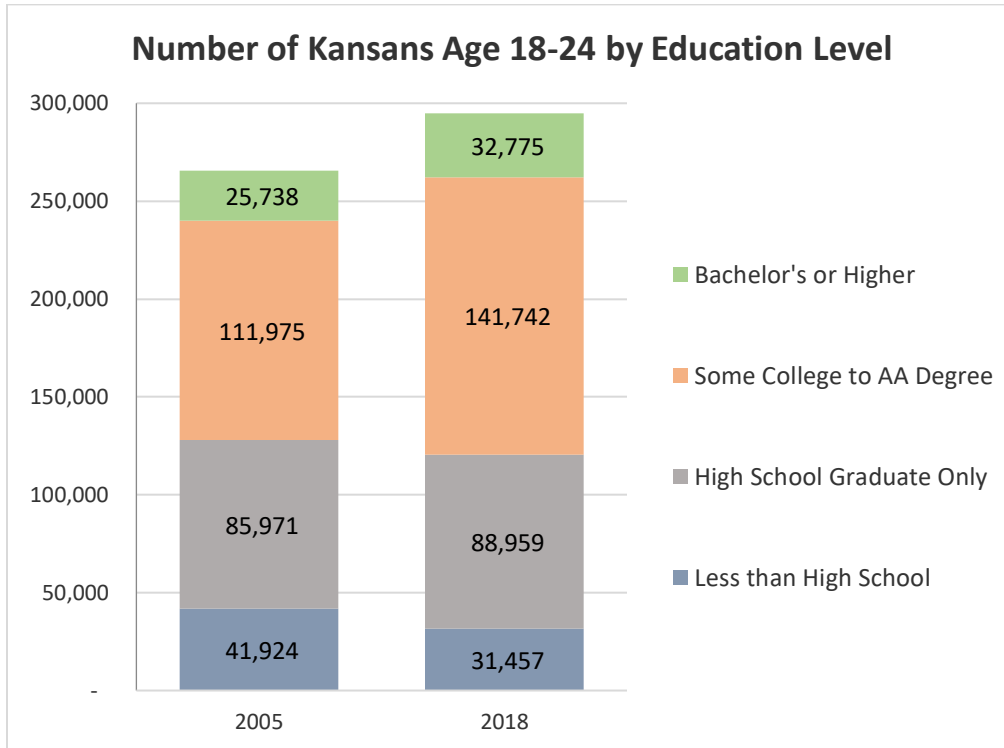
(D) the four-year graduation rate

Since the four-year graduation rate was adopted in 2020, Kansas graduation rates have improved, and rates for low-income and other lower performing groups have increased at a faster rate than average.

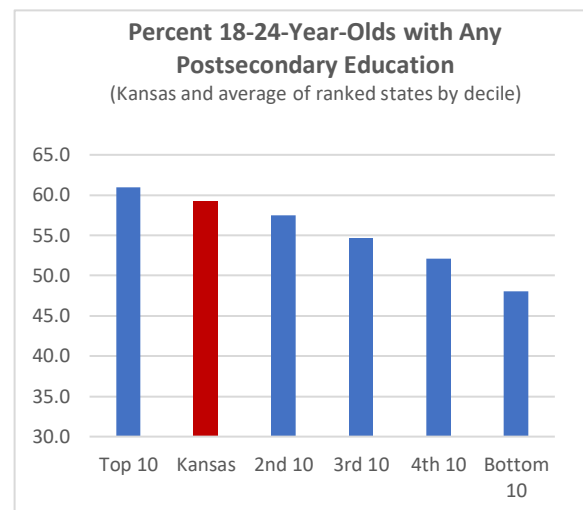
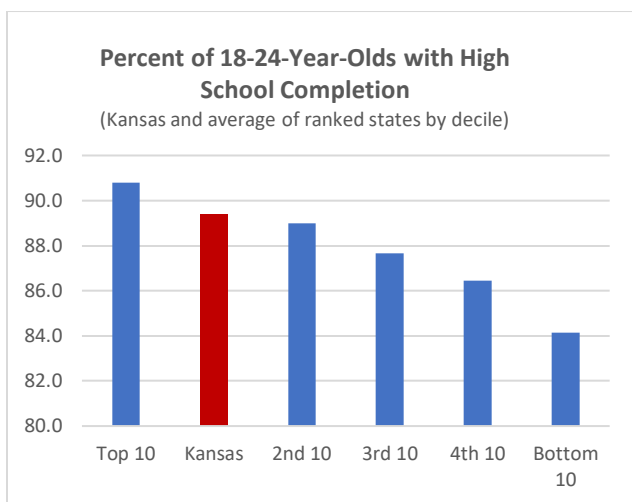


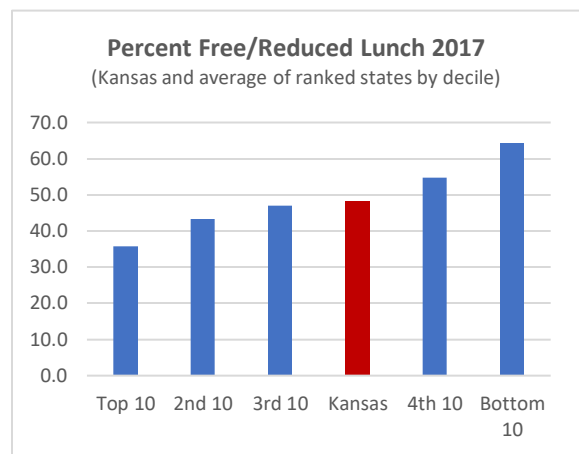
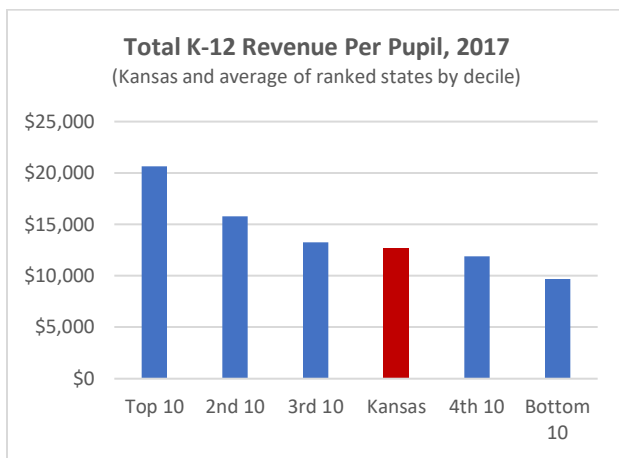
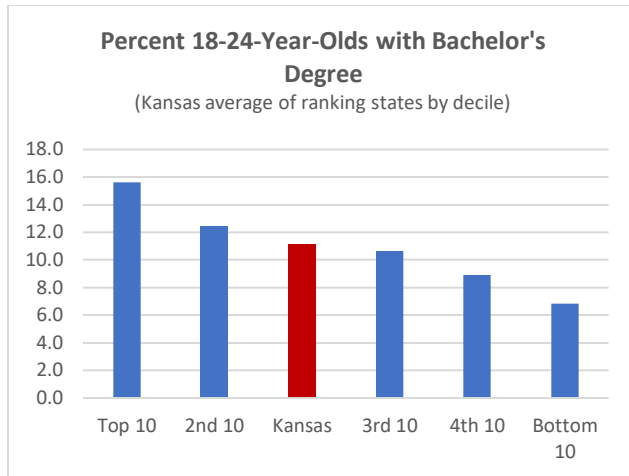
Other measures

High school completion, postsecondary participation and completion of postsecondary programs have all improved for young Kansas adults, despite the increased number of low-income and other at-risk student groups.



Kansas ranks from the top half to the top 10 states in high school completion, postsecondary participation and four-year degree completion, although Kansas ranks below average in funding per pupil and above average in low income student percentage.





Conclusions:

Kansas educational outcomes were improving under the current at-risk weighting system during and after funding increased in the late 2000's.

After funding (in real, inflation-adjusted terms) began to decline in 2010, test scores began to decline within 2-4 years, suggesting it will take some time for new increased funding to have an impact.

Funding was the variable that changed, not the use or approval of at-risk programs or practices.

Although state assessments, NAEP tests and ACT schools have declined in recent years, Kansas has shown improvement in graduation rates and young adult educational attainment – measures that actually translate into higher employment and income – despite more at-risk students.