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Written Proponent Testimony

SB 173 – Relating to the Kansas School Equity and Enhancement Act and At-Risk Students

Presented to the Senate Education Committee

Wednesday, Feb. 17, 2021

By

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Kansas State Board of Education

Madam Chairperson Baumgardner, Vice Chairperson Erickson, Ranking Minority Member Sykes and Members of the Committee:

We appreciate the opportunity to share our thoughts regarding SB 173. Thank you for giving us that opportunity.

SB 173 identifies the criteria to be used in determining if a student is eligible to receive at-risk services and programs. In addition, it provides the purpose for at-risk student and high-density at-risk weightings and sets out the manner in which school districts are expected to account for the funds received which are attributed to the district's at-risk student and high-density at-risk weightings. Also, the bill requires the expenditure from the district At-Risk Education Fund to be made only for at-risk and provisional at-risk programs and services, for personnel providing the program and services and training that is needed to provide evidence-based best practices.

The State Board of Education is tasked with identifying and approving evidence-based best practices for at-risk educational programs and services. It also is to provide a list of approved at-risk educational programs to each school district so the district can ensure the expenditures are on the list or are a provisional at-risk educational program. The Department of Education must also publish in a prominent manner the list of approved at-risk educational programs. Provisional at-risk educational programs are to be reviewed by the State Board of Education and if it meets the requirements as an evidence-based best practice it is to be added to the approved list. The Board is also expected to include the outcomes of at-risk programming as part of the accreditation process.

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Districts are tasked with ensuring the expenditures they make from the district's At-Risk Education Fund are on the list of acceptable expenditures. Funds can be used for provisional at-risk educational programs for no longer than three years unless it is added to the approved list of educational programs and services. Districts are also to submit to the State Board of Education a report which includes a) the number of students eligible for at-risk programs and services; b) type of at-risk educational programs and services provided and how many students were served under each; c) the data and research used in determining which programs and services were needed; d) the longitudinal performance of students who continuously receive at-risk programming and services; and e) any information required by the State Board of Education.

The bill also requires a performance audit of at-risk education expenditures. The audit is to be conducted during 2022. [We wonder, if because of COVID impact on learning and the fact the bill won't impact district use of funds until FY 22, if you might want to move it to Calendar Year 2023, or even begin in FY 23 and extend it through Calendar Year 2023, with a report in January, 2024.]

SB 173 also extends high-density student weighting to July 1, 2023. The bill also sets specific requirements of improvement over a five-year period in order to continue to receive high-density student weighting. The State Board of Education supports the removal of the sunset on this program and finds that preferable to establishing a sunset date. We feel it is important that districts who have a high number of at-risk students continue to receive additional funds to provide the services and programs needed to assist students in becoming successful. Since the original sunset date has expired, it is important to at least extend the dates as soon as possible.

We are aware that this bill represents a compromise between several entities which have interest in the success of At-Risk students; therefore, we will offer our support for the general direction of SB 173. There were many individuals who worked to develop the changes that address the concerns in a manner which is workable, with the goal of producing the desired results.

It is our hope that more opportunities to find compromises in controversial bills will exist. It generally produces a more favorable long-term outcome if everyone can claim that while there may still be portions of the bill they feel could be re-written, they can live with it as written, because there are at least some portions which they feel will be helpful in achieving the needed change that everyone feels will be beneficial. The State Board of Education values the opportunity to work with the Legislature to find solutions to education issues that either the Legislature or the State Board of Education identifies.