



# Testimony in Support of HB2395 As Amended

## He Who Pays the Piper Calls the Tune!! Trust But Verify!!

First, I would like to commend the weeks of hard work which went into drafting this bill. It is far better than SB142. After decades of throwing more money at the problem of low student achievement with no improvement, it is obvious that the accountability provisions in HB2395 are long overdue.

Since the 1992 school finance formula was adopted, the Legislature has had no way to verify that the billions spent to educate Kansas K-12 students has better prepared them to succeed in college or a career. HB2395 is an effort to do just that. But like most first attempts, it needs some amendments to be effective.

The main problem is that the Legislature appropriates more money each year, but neither they nor the State Board have any say in how it is spent. Since 1998, districts have **increased spending by over \$4 billion per year**. They file law suits demanding more money, but still **only 1-in-3 Kansas students is “proficient”**.

Last year the Legislature gave districts \$400 million more yet State test scores actually WENT DOWN. That includes *Wichita where 80% of their students are NOT PROFICIENT in math, reading or science*.

The combined effect of SB19 plus Sub. for SB423 is an **increase of \$3.25 BILLION dollars by 2023**. There is no way to reach that goal without a massive tax increase. So, HB2395 realistically tries to stop this “train wreck” by targeting \$90 million dollar increases over the next two years which are directed at improving At-Risk and behaviorally challenged student achievement.

Closing the **ACHIEVEMENT GAP** is the primary focus of the Supreme Court—NOT pumping more money into the education bureaucracy. HB2395 adds \$180 million on top of the \$609 million from SB19 & SB423 through the 2020-2021 school year. That **\$789 million is more than enough to see improvement**.

To make this bill passible and more effective, may I offer the following recommendations:

- 1) The Accountability Report, Behavioral Weighting, targeted At-Risk Funding, Unencumbered Cash cap at 15% and ACT testing provisions in **Sections 4 through 8 are excellent**.
- 2) **Please remove the Hope Scholarship**. It is like trying to kill a fly with a sledge hammer. This is NOT a solution to stop bullying. So, **delete Sections 10 & 11 plus Sections 13 through 23**. In **Section 12, delete Subsection (d)** then insert language from the revised HB2257 on Page 3 to allow a bullied child’s parents to transfer their student to another public school if they feel after 20 days that their child is still not safe.
- 3) **Section 9 also needs to be deleted**. Appointing a **Bullying Task Force** is a total waste of time. It will simply “kick the can down the road” without protecting the thousands of Kansas students currently being bullied. Kansas law since 2007 has required policies. It is time to enforce them—not more stalling talk!!
- 4) The requirement in **Section 24** that the KSBOE complete a **study of graduation requirements** is also excellent. The “College Bound” 21 credits to graduate have not changed in over 40 years. With the State Board’s Individual Plans of Study and need for more CTE and technology graduates, the curriculum must change so Kansas students can compete for jobs in the global economy.
- 5) **Sections 25 and 26** are also necessary as are **Sections 28 through 35**. However, the roofing replacement requirements in **Section 27 are too strict and needs to be deleted or reworded**. The issue is the “good ole boy network” which gives roofing contracts to Cousin “Ben”. However, local school boards can eliminate these backroom deals if the Legislature tightens up bidding statutes.
- 6) **Section 36 on page 42** is the key funding provision for the Gannon case. Targeting the \$90 million per year to At-Risk and Behavioral Health Intervention weightings is wise public policy and can be supported in the current Gannon court case.
- 7) **Sections 37 and 38** are good as is.
- 8) **Section 39 regarding the Bilingual weighting** is long overdue. The massive increase of illegal aliens who have come to Kansas is costing over \$480 million per year in extra services to teach their kids. A four year limit on Bilingual funding is necessary. It is up to their parents to pay for their children to learn English.

- 9) **The requirements in Sections 40 and 41** will finally hold districts accountable for improvements in **At-Risk students**. For years, district administrators have simply put these funds into their General Operating Budget and given themselves and teachers raises. Using the Free Lunch definition of an At-Risk student, has increased funding from \$13 million to over \$440 million per year since 1992, yet there has been **NO IMPROVEMENT** in At-Risk student achievement. **HB2395** finally requires Measurable **RESULTS!!**
- 10) **The School District Accreditation System in Section 42** may have teeth. But, to the best of my knowledge, the KSDE has **NO** statutory authority to accredit school districts—only individual schools. The 5 R's the State Board has been trying to sell are not measurable. And, in the past 50 years only one school has lost its accreditation and that was because it was bankrupt rather than had low student achievement.
- 11) **Sections 43 through 46** are good public policy. It is about time that the SFFF must report how much and from which sources it is paying millions of tax dollars to lawyers to sue the State for even more money.
- 12) **The Bullying and Harassment definitions in Section 47** are a good start. However, the language from the combined **HB2257** is much more concise and will give school principals a clearer understand of what is and is not bullying. That revised bill will also set minimal timeframes to take action to prevent further bullying once it is reported.
- 13) **Section 48 to transport out-of-district students** is also excellent. In smaller districts this is essential so enough students can be bussed to one school to justify hiring an advanced math, science, CTE or language teacher. Otherwise, students are trapped with no place to learn at their own pace or career choices.
- 14) **The Dyslexia Task Force in Section 49** is a total waste of time and money. For over 20 years, parents of children with Dyslexia have been trying to get the KSDE to classify their child's reading problem as a learning disability. Once the Legislature requires that change, then the child and his/her parents will have an IEP which will provide the special dyslexia reading resources required to overcome this handicap. There is no need to anymore delay. Just assign Dyslexia a Special Needs code and the children will learn to read.
- 15) **Sections 50 through 52 are fine.**
- 16) **One RED FLAG. Sections 1 through 3 are hard to justify.** Without seeing funding data from the past three years and knowing how much improvement these various line items have produced, it is hard to say that the funding levels requested by the KSDE are necessary or beneficial.

I do not envy the challenges you face. Not only are you required to understand and vote on numerous other bills, but to get this one right is not easy. You are under lots of pressure from education lobbyists and the SFFF who keep demanding more money from the Legislature. But they fail to tell you that ACT, NAEP and State Assessment scores have actually **NOT IMPROVED** in 20 years and last year actually went **DOWN**—even after a \$4 billion dollar per year increase in local, state and federal spending since 1998.

**HB2395** is a well thought out bill which will finally bring some accountability to the billions of dollars being spent to educate Kansas students. It is essential that we start talking about cost/benefit instead of how much more to spend to get the same **POOR** results.

Only after a new school-based formula is developed plus significant changes are made in what and how we teach Kansas students will there truly be financial accountability and transparency or improvements in academic achievement. Once students get excited about learning, they will stay in school and graduate with the knowledge and skills they need to be productive, caring and financially stable adults in the global economy.

Respectfully submitted,

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