

Testimony before Senate Education Committee
SB 173 – K-12 At-Risk funding and programs
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Testimony in support
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February 17, 2021

Madam Chair and members of the Committee

Thank you for the opportunity to appear in support of SB 173, regarding the allocation and targeting of at-risk funding toward approved, best practices, evidence-based programs to serve students at risk of failing to attain the educational goals set forth in existing statute. Almost identical legislation passed the House last year on a vote of 111-14 in the form of HB 2540. This Committee made additions and passed the bill out. Unfortunately, the bill died on Senate General Orders when the Session prematurely ended due to Covid-19.

In recent legislative sessions the Kansas legislature has gone to great effort in attempting to address the problems identified by the Kansas Supreme Court in *Gannon* and as confirmed by KSDE’s own student performance statistics. In spite of unprecedented amounts of additional legislatively approved funding for K-12, outcomes for student identified as at-risk have remained stagnant. Legislation intended to target at-risk funding, toward the goal of lifting up at-risk students, has failed, largely due to those funds being diluted at the district level. This phenomenon was recently and vividly illustrated in the Dec. 2019 Performance Audit conducted by our own Kansas Legislative Division of Post Audit.

I know the Committee was briefed on this report last session and I assume new members of the Committee have been made aware of its findings recently. I’ll reference the important take-aways from the Audit Report to set the stage for supporting the need for the provisions of SB 173. LPA’s bottom-line conclusion was:

“The state’s at-risk funding is intended to provide additional services to students who are not performing adequately in school and are at risk of academic failure. At-risk funding is provided by the state to offer additional programs or services to these students to help them succeed. The state’s new requirement that at-risk funding be spent on evidence-based practices is poorly managed at the state level and not adequately implemented at the district level. Specifically, we found districts spent most of their at-risk funds on teachers without assurance the funding targets at-risk students or employs evidence-based practices and programs. That is in part because KSDE has provided districts with unclear, and at times, inaccurate guidance.”

LPA’s recommendations were:

“1. The department should ensure that any guidance they provide to the districts reflects current state law.

2. *The department should establish a process to determine that any identified programs and practices are evidence-based and for at-risk students.*

3. *The board should more thoroughly oversee the process for identifying at-risk programs and practices.”*

So, in light of these recommendations to KSDE and the State Board of Education, why the need for SB 173? The answer lies in the curiously strong push back to the LPA findings by both KSDE and the State Board. Included in the response was a claim that the KSDE and the Board had, in fact, complied with the law you passed. They also claimed that it was not the Legislature’s intent to have the Board actually publish a list of approved practices and programs. They defended the practice of using at-risk funds to pay for general educational expenses on the theory that there are at-risk kids in the classroom.

Legislative Post Audit, on the other hand, had a strong response of its own, standing firmly behind its conclusions. Their reasoning was two-fold:

“1. State law requires that the approved programs and practices be for at-risk programs and for the instruction of at-risk students. The programs and practices the board has approved are not related to at-risk programs or students. Instead, the board has approved general teaching resources. The department has asserted that if a program or practice is good for all students then it is good for at-risk students. We do not think this view reflects what state law directs the board to do.

2. State law requires the board to approve evidence-based programs and practices. The board asserted that every practice they have approved has been vetted by department staff. We asked to see this research, but department staff provided no evidence of a review. Additionally, the department’s website did not provide any information on the research or evidence supporting the approved programs and practices. As a result, we concluded the board’s approved programs and practices did not comply with this aspect of state law.”

Given the strong findings by LPA and the strong push back from KSDE and KSBOE, our concern is that without a legislative response that clearly states your legislative directive and intent with regard to targeting at-risk funding toward at-risk students, the promise of improving the lives of these students will be an empty one, with funds continuing to be ineffectively spent and diluted at the district level.

SB 173 is an effort to put teeth in the LPA recommendations. Just as the *Gannon* court directed the Legislature to “show its work” in devising a system of finance that in structure and implementation is reasonably calculated to have students able to meet or exceed statutory goals, the Legislature should direct the KSDE and the KSBOE to “show their work”, by identifying and approving actual at-risk programs that they can demonstrate, based on research, provide known and proven results based on evidence-based best practices.

It is difficult to ascertain from the KSDE website how they came to list “evidence -based practices”. Indeed, the website has not been updated to reflect the amendments to the at-risk

statute made in 2019. The alpha-numeric general listing contains some 255 listings. Ironically, even though the Department has acknowledged before this Committee and others that the JAG-K program, e.g., is an evidence-based, peer-reviewed program with a national reputation for outstanding results on behalf of at-risk students and has been a successful model in Kansas, JAG-K is not listed. It is unlikely that Gov. Kelly, who is on JAG's national board, is aware of this omission. It is merely referenced in another listing as one of three "State-Based National Nonprofit Organizations", whatever that means. Something called "7 Habits for Healthy Kids", however is one of the 255 on the list. How does the Legislature know, and more importantly, how does a school district know, what the truly successful at-risk programs are they should use? The smorgasbord listed by the KSDE is, simply, not helpful. The list is too generic and non-specific to be useful and we can find no evidence of the research or analysis that went in to producing the list, if it is specific to at-risk education at all.

The proposed legislation provides latitude for local school districts to utilize provisional programs, but those also need to be based on research and need to be specifically tailored to the needs of the at-risk student population. However, it's hard to imagine that in the intervening year since this bill was first proposed the local districts haven't had the time to get a program they want listed by KSDE. It appears to be as easy as sending the Department an e-mail.

The bill also calls for a follow-up LPA audit to ensure that the Legislature's intent and directive is carried out. We know all too well that if the KSDE and KSBOE don't like a legislative directive, they will endeavor to work around it. The Legislature needs to continue to fight for our at-risk students and hold the education establishment accountable to those students. The pandemic has challenged our at-risk students even more than usual. They can't afford to get further behind. We urge the Committee's approval of this needed piece of legislation.

Guidelines: Kansas At-Risk Pupil Assistance Program



1. What is the purpose of the Kansas At-Risk Pupil Assistance program?

The purpose of the Kansas At-Risk Program is to provide at-risk students with additional educational opportunities, interventions, and evidence-based instructional services to assist in meeting State Board of Education outcomes.

2. What does the term “additional educational opportunities” mean?

The intent of the At-Risk Pupil Assistance Program is to provide “additional educational opportunities” which are evidence-based educational services offered to at-risk students above and beyond regular educational services.

K.S.A. 72-5153(c) Expenditures from the at-risk education fund of a school district shall only be made for the following purposes:

- a. At-risk educational programs based on evidence-based best practices identified by the State Board of Education;
- b. personnel providing educational services in conjunction with such programs; or
- c. services contracted for by the school district to provide at-risk educational programs based on best practices.

3. Does an at-risk student have to be a free-lunch student?

No, free lunch applications determine the funding while academic needs determine who is identified and served.

4. What is the definition of an at-risk student and what criteria identify an at-risk student?

At-risk students can be defined by one or more criteria. Predominantly, a student who is not working on grade level in either reading or mathematics is the major criteria used.

An at-risk student is one who meets one or more of the following criteria (a-j):

- a. Is not working on academic grade level.
- b. Is not meeting the requirements necessary for promotion to the next grade; is failing subjects or courses of study
- c. Is not meeting the requirements necessary for graduation from high school. (e.g., potential dropout)
- d. Has insufficient mastery of skills or is not meeting state standards
- e. Has been retained
- f. Has a high rate of absenteeism
- g. Has repeated suspensions or expulsions from school
- h. Is homeless and/or migrant



Definition of an at-risk student and criteria (continued):

- i. Is identified as an English Language Learner
- j. Has social emotional needs that cause a student to be unsuccessful in school
- ***Students are often at-risk as a result of the following situations:***
 - Low attachment to or involvement with school
 - Continual or persistently inappropriate behavior
 - Repeated discipline infractions
 - A high rate of transition or mobility
 - Living in an environment of poverty
 - Living in an environment of limited educational achievement
 - Has a drug or alcohol problem
 - Is pregnant or is a parent or both
 - Participates in gang or gang-like activity
 - Is adjudicated as a juvenile offender
 - Is a "child in need of care" (CINC)

5. May students identified for special education services receive at-risk services?

Yes, students with disabilities may be served by the at-risk funds if the services are not the same area of service being provided by special education funds as identified on the student's IEP. For example, a student with a disability receiving special education instructional support in the area of reading could receive at-risk instructional support in the area of mathematics, but not in reading.

6. What are districts to use to identify at-risk students?

Districts are to use some form of diagnostic assessment and/or evidence-based educational criteria to identify students who are at-risk to determine their needs and to guide their interventions.

7. What assessments or data can be used to identify at-risk students?

Some examples of data and assessments that can be used to select and serve at-risk students include:

- a. Records of performance demonstrating a lack of growth
- b. State assessment results
- c. Local assessments
- d. Performance based assessments
- e. Norm referenced assessments
- f. Screening assessments
- g. Diagnostic assessments such as:
 - Qualitative Reading Inventory
 - Degrees of Reading Power
 - Gates MacGinite
- h. Supplemental services needed through the school day

8. What are some examples of how at-risk services can be delivered?

The primary means of providing additional services that are above and beyond what is offered to all students primarily includes additional time or additional staff hired specifically to work with identified at-risk students.



Some appropriate examples of how at-risk services can be delivered are:

- a. Extended year
- b. Before school
- c. After school
- d. Summer school
- e. Extra support within a class
- f. Tutorial assistance
- g. Class within a class

9. May alternative, virtual and charter schools be funded with at-risk funds?

Yes, alternative, virtual and charter schools can use at-risk funding to provide educational services to identified at-risk students.

10. May at-risk funds be used to fund an instructional coach for K-12?

Yes, at-risk funds may be used to hire instructional coaches who work with teachers of at-risk students in grades K-12.

11. How may at-risk funds be used to support direct instruction?

Funds used to support direct instructional services provided to at-risk students includes the hiring of teachers or paraprofessionals (who are appropriately supervised by licensed staff) to offer additional services to at-risk students.

12. May at-risk funds be used to support administrative salaries?

In general, at-risk funds **cannot** be used to support administrative salaries unless the administrator is providing direct instructional services and/or support services to identified at-risk students beyond their regular contract duties. However, if an administrator is fully employed to serve a school that has 100% of its students identified as at-risk based on the at-risk criteria in question #4, at-risk funds can be used to support the administrator's salary. An alternative school is an example in which this situation might apply.

13. May at-risk funds be used to support classroom teacher salaries?

Yes. At-Risk funds may be used for a proportion of a classroom teacher's salary. The proportion that may be paid must be equal to or lower than the proportion of at-risk students in the teacher's class(es). The district would need to be able to verify that evidence-based best practices are being used in the teacher's classroom in order to pay a proportion of their salary.

14. May at-risk funds be used to support social workers, counselors or translators salaries?

At-risk funds can be used to support social workers, counselors or translator's salaries if they are providing direct instructional services and/or support services to identified students. The support services provided should directly impact the reason(s) for which the student was identified as at-risk.

15. May at-risk funds be used to support resource officer's salaries?

No. At-risk funds **cannot** be used to support resource officer's salaries.

**16. May at-risk funds be used to support clerical staff salaries?**

If clerical staff are fully employed to serve a school that has 100% of its students identified as at-risk according to the criteria in question #4, at-risk funds can be used to support that person's salary. An alternative school is an example of a school that might meet the 100%.

17. May funds be used to support professional development activities?

No, at-risk funds must be spent on additional educational opportunities and instructional services to assist in closing the achievement gap of at-risk students. At-risk funds, however, may pay the salaries of instructional coaches who work with teachers of at-risk students.

18. May at-risk funds be used to purchase equipment?

At-risk funds can be used to purchase equipment that will be used to support at-risk student learning; however, those purchases should be limited to 25% of the total at-risk allocation.

19. May at-risk funds be used for qualified preschool students?

Yes.

20. May at-risk funds be spent on transportation?

Yes, funds may only pay for transportation for at-risk students attending after school programs, extended school or summer school.

21. How must high-density at-risk funds be spent?

School districts that qualify to receive the high-density at-risk weighting pursuant to this section shall spend any money attributable to the school district's high-density at-risk weighting on the at-risk best practices approved by the state board. *K.S.A. 72-5151*

22. What student records must be kept for the at-risk program?

Annual records must be kept at the district on the following:

- a. List of students served
- b. Selection criteria including name of assessment and/or evidence-based educational criteria

Link to Evidence-Based Best Practices homepage <http://www.ksde.org/Default.aspx?tabid=748>

23. What information on at-risk must districts report at the end of each school year?

According to the school finance law, districts must report annually the following information:

- a. The number of at-risk pupils served or provided assistance
- b. The type of service(s) provided
- c. The research (e.g., student assessment data) upon which the district relied in determining the need for the service or assistance existed
- d. The results (e.g., student impact data) of the service(s) or assistance provided
- e. Any other information required by the State Board

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Agency Division of Learning Services Special Education and Title Services Announcements Special Education and Title Services Best Practices

Evidence-Based Best Practices for At-Risk Programs and Instructions

This webpage is to assist districts in meeting the requirements of the Every Student Succeeds Act (ESSA) and K.S.A 72-5153. The ESSA requires districts to use their federal funds to support evidence based practices. K.S.A 72-5153 (d) states that "the state board shall identify and approve evidence-based best practices for at-risk program and instruction of students receiving at-risk program services. The state board shall review and update such best practices as part of its five year accreditation system review process." We will continue to update this webpage with approved evidence-based practices.

An at-risk student (as defined by the state board) is one who meets one or more of the following criteria:

- Is not working on academic grade level.
- Is not meeting the requirements necessary for promotion to the next grade; is failing subjects or courses of study
- Is not meeting the requirements necessary for graduation from high school. (e.g., potential dropout)
- Has insufficient mastery of skills or is not meeting state standards
- Has been retained
- Has a high rate of absenteeism
- Has repeated suspensions or expulsions from school
- Is homeless and/or migrant
- Is identified as an English Language Learner
- Has social emotional needs that cause a student to be unsuccessful in school

Kansas At-Risk Guidelines: https://www.ksde.org/Portals/0/School%20Finance/guidelines_manuals/At%20Risk%20guidelines.pdf

Evidence-based: Any concept or strategy that is derived from or informed by objective evidence that demonstrates a statistically significant effect – most commonly, educational research or metrics of school, teacher, and student performance.

Districts that identify evidenced based practices that are not on this webpage or the links on this website (i.e. What Works Clearinghouse) may submit through e-mail a request to have an evidence-based practice added. Please e-mail essaquestions@ksde.org including the practice and the evidence, including links to where the practice and evidence may be found online.
Link to this page: <http://www.ksde.org/Default.aspx?tabid=748>

Best Practices

- KSDE approved list of Evidence-Based practices and programs (PDF)
- State-Based National Nonprofit Organizations
- Legal Resources
- General Resources
- Civic Engagement
- Early Learning
- Math
- Science
- Social Emotional Development
- Social Studies
- Reading/Literacy
- Trauma Informed Care

State-Based National Nonprofit Organizations

- Jobs for America's Graduates-Kansas (JAG-K)
- Communities in Schools
- Boys and Girls Clubs of America

Legal Resources

- ESSA <https://www.gpo.gov/fdsys/pkg/BILLS-114s1177enr/pdf/BILLS-114s1177enr.pdf> (external PDF)

Questions?
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Doug Boline
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- KSDE ESSA information: <http://www.ksde.org/Default.aspx?tabid=525>
- ESSA Non-Regulatory Guidance (external link)
- K.S.A. 72-5153 (external link)

K.S.A. 72-5153 (d) states that "On or before July 1, 2018, the state board shall identify and approve evidence-based best practices for at-risk programs and instruction of students receiving at-risk program services. The state board shall review and update such best practices as part of its five-year accreditation system review process."

General Resources

- What Works Clearinghouse (external link)
- Florida Center for Reading Research (external link)
- Kansas Technical Assistance System Network (TASN) (external link)
provides technical assistance to support school districts' systematic implementation of evidence-based practices.
- KansaStar/Indistar (Wise Ways)
- Evidence Based Practices Hot Topics October 3, 2018 presentation (external YouTube link)
- IRIS Center (external link)
- IDEAs That Work (external link)
- National Center on Intensive Intervention (external link)
- Ci3T: Comprehensive Integrated Three-Tiered Model of Prevention (external link)
- ESSA Action Guide: Selecting Evidence-Based Practices for Low-Performing Schools (external link)
- Evidence for ESSA (external link)

Civic Engagement

Individuals sharing their skills and knowledge through actions intended to improve communities, states, nations, the world, and themselves.

- Civic Engagement - ksde.org
- Six Proven Practices for Effective Civic Learning (PDF)
- 10 Mostly Instructional Practices To Improve Civic Engagement in Any Classroom (PDF)
- Civic Engagement General Resources (PDF)
- Civil Discourse in the Classroom (PDF)
- Fostering Civil Discourse (PDF)
- Generation Citizen <https://generationcitizen.org/> (External site)
- Participatory Budgeting in Schools Guide (PDF)
- Social Studies Resources - ksde.org

Early Learning

- Early Childhood Page
- Kansas Pre-Kindergarten Guide
<https://www.ksdetasn.org/resources/1916>
- Kindergarten in Kansas
<https://ksdetasn.org/resources/810>
- Kansas Full Day Kindergarten Guide
<https://ksdetasn.org/resources/1917>
- TASN Early Childhood Resources
<https://ksdetasn.org/search/resources> (search Early Childhood (Birth – K))
- Early Childhood Education: The Long-Term Benefits
<https://www.tandfonline.com/doi/full/10.1080/02568543.2016.1273285>
- Effectiveness of Early Educational Intervention
<https://science.sciencemag.org/content/333/6045/975> (external link) (subscription required)
- Untangling the Evidence on Preschool Effectiveness: Insights for Policymakers
<https://learningpolicyinstitute.org/product/untangling-evidence-preschool-effectiveness-report> (external link)
- Impacts of Early Childhood Education on Medium- and Long-Term Educational Outcomes
<https://journals.sagepub.com/stoken/default-domain/yk2Xu4vSV8gxECVS/full> (external link)
- Parents As Teachers: An Evidence-Based Home Visiting Model
<https://parentsasteachers.org/results-evidence-based-home-visiting-model> (external link)
- Home Visiting Evidence of Effectiveness (Including Attachment and BioBehavioral Catch-up Intervention)
<https://homvee.acf.hhs.gov/> (external link)

Math

APPROVED



Evidence-Based Practices

#

- 4 Response to Intervention RTI Strategies
- 6 minute Solution
- 6 Proven Practices for Effective Civic Engagement
- 7 Habits of Healthy Kids
- 7 Habits of Highly Effective Teenagers
- 7 Mindsets
- 8 Strategies of Mathematical Practice
- 95 Percent Group

A

- Accelerated Math
- Accelerated Reading
- Acellus Academy
- Achieve 3000
- ACT Preparation
- ACT-Aspire
- Administer Ages & Stages Questionnaires Social-Emotional Second Edition (Implement a reliable and valid systemwide screening process for academics and behavior)
- Administer Ages & Stages Questionnaires Third Edition (Implement a reliable and valid systemwide screening process for academics and behavior)
- After school homework assistance
- Alphabetic Phonics
- Animated Alphabet and Animated Literacy
- Animated Literacy
- ARC Reading
- Assisted reading practice

Avenues ESL
AVID

B

- Barton Reading
- Barton Spelling
- Before-During-After Reading Strategy
- Behavior-Specific Praise
- Big Day Curriculum
- Big Idea Math
- BIST
- Blended Learning
- Boys Town Social Skills
- BrainPop
- Bridges in Mathematics
- BURST

C

- Calendar Math
- Career & Tech Ed Programs
- Career Cruising
- CASEL
- Champs
- Character Development
- Character Education and Learning Skills (CELS)
- Character Strong
- Check In/Check Out System (CICO)
- CI3T
- Class Dojo
- Class Meetings that Matter
- Class Size Reduction
- Classwide Peer Tutoring
- Co-Teaching
- Cognitive Tutor Algebra 1
- Cognitively Guided Instruction (CGI)
- Communities in Schools
- Community Based Learning (CBL)
- Comprehensive, Integrated Three Tiered Model (CI3T)
- Concept Mapping

- concrete instruction with manipulatives
- Concrete, Representational, Abstract (CRA) sequence of instruction
- Connections Program (Kansas Connections Academy)
- Conscious Discipline
- Cooperative Learning: Kagan Strategies
- CORE: Whole group instruction
- Cornerstones of Care
- Corrective Reading
- Creative Curriculum
- Credit Recovery
- Crisis Intervention/Trauma Informed
- Culture and Climate PBL - Project Based Learning
- Curiosity Corner

D

- Daily Learning Objectives
- Data-Based Individualization (DBI) Process
- DESSA SEL too (Devereux Student Strength Assessment)
- Differentiated Instruction
- Direct Reflection
- Do the Math
- Dream Box
- Dual Credit Offering
- DuFour PLC Model

E

- Early Intervention in Reading (EIR)
- Easy CBM
- Edgenuity
- Edmark Reading
- Edmentum (Plato)
- EngageNY English Language Arts



APPROVED EVIDENCE-BASED PRACTICES

Engaging children and their families in the transition into kindergarten

Every Day Math manipulative kits

Expanded Expression tool

Explicit and systemic instruction

Explore Learning-Gizmo's

F

FF&P leveled literacy program

Fast Forward

Fastbridge Learning Program

First Year Experience Course (Success 101)

Fluid Grouping

Formative Assessments

Freckle Education

Fry Phrases

Fuel Education

Functional Behavioral Assessment-based Interventions

FUNDations

G

Gear Up

Go! Math

Go! Math Intervention

Gradual release of responsibility model

Great Minds

Growth Mindset

Guided Practice

Guided Reading

Guided Reading Plus

H

Habits of Success

Habits of Success - Summit Learning

Head Start (Specific PreK model)

Healthy Friendships

Heggerty Phonemic Awareness

High Scope

Higher Order Thinking and Questioning

I

I Do, We Do, You Do modeling cycle

I-Ready

iLit (InspireLiteracy)

Inquiry Based Learning

IStation

J

John Hattie's meta analyses - teaching strategies and practices

Journeys Literacy Workshop

K

Kagan Strategies

Kahn Academy

Kansas Reading Roadmap

KWL Charts

L

Language!

LETRS Training

Letter People

Leveled Literacy Intervention

Leveled Literacy Intervention by Fountas and Pinnell

Lexia

Lexia Core 5

Lexia Power Up

Lindamood Phenome Sequencing

M

MakerSpace for STEM

Mastering the Basic Math Facts (John SanGiovanni)

Mastery Learning

Math CBM

Math Expressions

Math Facts

Math Facts in a Flash

Math fluency practice

Mentoring

Mentoring Groups

Mind Up

Mlti-Tier System of Supports (MTSS)

Moby Max

Modeling

Modified Instruction Based on Data from Formative Assessment

MTSS

MyIGDI

N

NCTM Effective Math Learning Practices

Newcomer curriculum

Newsela

Number Talk

O

Observational Survey of Early Literacy Achievement

Odyssey Math

Odyssey Reading

Open Court Reading

Opportunities to Respond

Orton-Gillingham interventions

P

Paired Reading

PALS

Panorama

Parents as Teachers

Pathway

PBL

Peer-Assisted Learning Strategies (PALS)

Personalized Learning

Phonics Blitz

Phonological Awareness training

Pinpoint Math

Pirate Math

Positive Action social skills curriculum

Positive Behavior Interventions

Positive Behavioral Interventions & Supports (PBIS)

Promoting Alternative Thinking Strategies (PATHS)

Provide children quality early learning opportunities (Prek)

Q

Question-Answer Relationship (QAR)

QuickReads (Pearson)

R

RRave-O (Voyager Sopris Learning)

Raz Kids (online reading)

Read 180

Read Naturally



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**Oral, Proponent Testimony before the
Senate Committee on Education
on
SB 173 – At-risk Weightings and Programs
by
Mark Tallman, Associate Executive Director
Kansas Association of School Boards
February 18, 2021**

Madam Chair, Members of the Committee:

Thank you for the opportunity to testify as a proponent of SB 173. As we understand this bill, it contains provisions that were developed and agreed upon last session by various parties, including KASB. We offer support for the following reasons.

1. It extends the high-density at-risk weighting.

To be clear, we believe this weighting factor should be made permanent. There is clear evidence that districts with higher percentages or concentrations of low-income students face greater challenges in helping those students reach academic standards.

This need was identified in the 2006 Kansas Legislative Post Audit K-12 cost study, which recommended an additional weighting factor beyond the regular weighting based on the number of free lunch eligible students. Currently, this factor provides over \$50 million in state funding targeted at the state's highest poverty districts.

There are a number of possible reasons why high poverty districts have these additional challenges, but one thing is clear: allowing the high-density weighting to expire will remove resources from students who need it most. If not made permanent, the high density weighting needs to be extended, and we recommend the longest extension possible.

2. It contains appropriate criteria for determining students who receive at-risk services.

This bill places in state statute the criteria for receiving at-risk services based on current criteria determined by the State Board of Education and adds one more: identification as a student with dyslexia. KASB supported and participated in the Legislative task force on dyslexia and supports efforts to provide additional services to such students.

It is important to remember that the school finance system used student and family income, as measured by free meals, to determine the amount of funding a district receives, but uses these criteria to determine which students actually receive services, whether or not they qualify for free meals.

3. It specifically allows districts to use at-risk funding for professional development.

This additional funding will help educators apply the most current research-based practices to programs serving at-risk students.

4. It increases accountability while maintaining flexibility.

The bill continues both the current law and practice of having the State Board of Education approve school district at-risk programs and expenditures. However, based on Legislative concerns of a 2019 LPA audit, this bill adds new clarifying language and reporting requirements. We support these changes with following understandings.

First, the bill directs the State Board of Education to prepare a list of approved at-risk programs based on best practices and requires districts to use programs from the list, with one exception. It will allow districts to experiment with “provisional” programs not on that list for up to three years. This will let districts try new approaches that may not have been recognized by current research but show promise.

Second, it allows districts to continue to use at-risk funds on programs which are targeted at at-risk students but may be also benefit students who are not at-risk.

Although KASB does not agree with every provision in the bill, we appreciate Sen. Baumgardner’s efforts last session to find a compromise based on work in the Kansas House, concerns of education organizations and others.

Thank you for your consideration.

February 18, 2021

Re: SB 173, support
Senate Education Committee

Chairwoman Baumgardner and Members of the Senate Education Committee:

Thank you for the opportunity to respond to SB 173, which would extend the sunset on high density at risk. The 27,705 students of Shawnee County, Kansas, are served by five public school districts. Leadership from all five Shawnee County public school districts worked collaboratively to create our 2020-21 Shawnee County Legislative Positions. These legislative positions were mutually created with the belief that Shawnee County students are our top priority. Significant societal benefits are gained by supporting exemplary public education, and all Kansas students deserve an adequate and equitable public education.

We support full funding for the high-density at-risk weighting. Failure to remove the sunset would result in a \$3.9 million loss to Topeka Public Schools.

We draw your attention to the positions on school funding which were mutually created with the beliefs that Shawnee County students are our top priority, there are significant societal benefits gained by supporting exemplary public education, and all Kansas students deserve an adequate and equitable public education. For school funding, a formula must account for changing student needs, higher expectations and increasing costs. Given the significant statistical relationship between socio-economic status and students to be found to be at-risk of academic failure, a reliable measure of poverty, such as free-lunch status, must be an indicator for allocating funds intended to address the needs of at-risk students. For that reason, the high density at risk weighting should not be allowed to sunset.

Topeka Public Schools uses the allocated at-risk dollars primarily on staff, directly benefiting students. At-risk funds are distributed to school based salaries based on a Special Needs Index that identifies schools by need (e.g., EL, SPED, F/R rate, and mobility). This ensures that the funds are providing supports in an equitable manner. Elementary schools benefit from the at-risk funds by allowing us to set classroom ratios that support more direct instruction. Schools with more at risk students have a smaller teacher to student ratio.

Two of our schools that are primarily funded through at-risk dollars are Hope Street Academy and Avondale Academy. Hope Street provides an alternative option for high school students who struggle in a traditional high school by providing smaller class sizes, childcare for students with children, and flexible school hours for students who have to work while in high school. Avondale Academy houses several programs that provide services to students, including a Day School for students who have been suspended from their home school. This allows students to not miss out on instruction.

The most unique services provided at Avondale are for students who have behavioral and/or social emotional struggles and attend on a temporary basis. The Topeka Public Schools Virtual School for grades 4-adult is also located there. Students can get support from Family Service and Guidance Center, Shawnee Regional Prevention and Recovery Services, and other community service providers who have space at the school. This eliminates many of the barriers at-risk students have in getting community services (e.g., transportation, missing school, parents missing work). Once the student interventions are in place and working, students' transition back to their home school. Both of these alternative schools provide a safe place for students to find academic success.

The high density at risk weighting supports students who are at-risk, and through its impact, supports students who are not at-risk. Please vote yes on SB 173.



OFFICE OF THE SUPERINTENDENT

Tiffany Anderson, Ed. D
Superintendent of Schools

Thank you for the opportunity to provide our support for this bill.

Dr. Tiffany Anderson, Superintendent, Topeka Public Schools #501
Scott Mickelsen, School Board President, Topeka Public Schools #501

2020-2021 LEGISLATIVE POSITIONS
 Five Shawnee County Public School Districts

ONE UNITED VOICE



Shawnee County School Districts

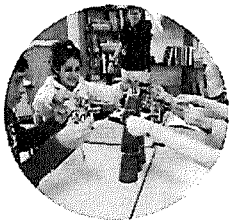
The 27,705 students of Shawnee County, Kansas, are served by five public school districts. Leadership from all five Shawnee County public school districts worked collaboratively to create our 2020-2021 Shawnee County Legislative Positions. Our Legislative Positions were mutually created with the belief that Shawnee County students are our top priority, there are significant societal benefits gained by supporting exemplary public education, and all Kansas students deserve an adequate and equitable public education.

Shawnee County Combined Facts

Student enrollment:	27,705	Economic Impact on Shawnee County Economy:	
Square miles served:	483	• Total FTE Staff	4,849
Facilities:		• Total Payroll	\$272,831,891.42
• Elementary Schools	32		
• Middle Schools	10		
• High Schools	7		
• Alternative Programs	7		

COVID-19 has presented numerous challenges and needs that have required new and different ways to address them.

- Social-emotional needs have sharply increased
- Access to technology and reliable internet connectivity have presented challenges
- Repurposing spaces to expand building capacity to protect social distancing have increased costs
- New personal protective equipment and disinfecting procedures have been required
- Increased staffing needs have surfaced to teach students in repurposed spaces



2020-2021 Shawnee County School Districts Legislative Positions

School Funding

We support

- **Funding the safe operations of school in each Phase of Education (Phase 3 Onsite, Phase 2 Hybrid, Phase 1 Remote)**
As a result of COVID school operating guidelines will require additional resources such as masks, cleaning and sanitizing; space for social distancing; remote access and other needs.
- **Implementation and assessment of standards and the accreditation process adopted by the Kansas State Board of Education.**
- A formula must account for changing student needs, higher expectations, and increasing costs. Given the significant statistical relationship between socio-economic status and students to be found to be at-risk of academic failure, reliable measure of poverty, such as free-lunch status, must be an indicator for allocating funds intended to address the needs of at-risk students
- Fully fund early childhood education.
- Fully fund special education. The state is not funding its statutory commitment to pay for 92 percent of excess special education costs.
- Consider high and low enrollment.
- Provide equalization aid for Capital Outlay.
- Continue Local Option Budget.
- Fund Bond and Interest at the full percentage required by law.

Teacher Recruitment

We support:

- Local Boards of Education hiring the most qualified candidate, and if necessary, to pay any actuarial costs established by KPERS if a KPERS retiree is the most qualified candidate.
- Alternative methods for obtaining professional licensure and increasing reciprocity with other states.
- Establishing statewide financial incentives to encourage teachers to both enter and stay in the profession during the pandemic.

Access to Technology

We support:

- **Access to affordable broadband service for all Kansas students, families, and schools.**
- COVID has highlighted the need for broadband as students have relied on remote access to schools and may continue doing so due to underlying health conditions and quarantines. One of the major issues identified by school districts is the lack of broadband access and devices by students and families for remote learning. Students are in need of individual devices.

KPERS

We support:

- Long-term, sustained commitment towards the funding of KPERS.
- Equitable provisions for all public employees when working after retirement.

Social Emotional Health

We support:

- **Increasing support for mental health needs of students and staff.**
Educators expect many students will face additional mental health issues associated with the COVID pandemic. COVID-related issues follow years of growing concerns about mental health issues affecting student health, safety and learning, and when long-term access to health services may be worsened by the economic impact of the COVID-19 pandemic. Districts may need to alter or increase services under on-site, hybrid and remote learning models. School and mental health providers will need to work together to determine the best delivery model for each community.
- Expand Medicaid, which will increase health insurance coverage for a significant number of families in our community, promoting family access to health care, as well as increased opportunities for students to be successful in school.

Approved by each Board of Education

Auburn-Washburn School District #437
Seaman School District #345
Shawnee Heights School District #450
Silver Lake School District #372
Topeka Public Schools #501

Tom Bruno
James Adams
Lauren Tice Miller
Jake Fisher
Dr. Scott Mickelsen



