MINUTES

2010 COMMISSION

November 14-15, 2005
Room 514-S—Statehouse

Members Present

Rochelle Chronister, Chairperson
Dr. Ray Daniels, Vice Chairperson
Senator Jean Kurtis Schodorf (November 14)
Representative Kathe Decker
Representative Sue Storm
Carolyn Campbell
Barbara Hinton
Stephen Iliff (November 14)
Dennis Jones (November 14)
Barbara Mackey

Member Absent

David Davies

Staff Present

Carolyn Rampey, Kansas Legislative Research Department
Art Griggs, Revisor of Statutes Office
Theresa Kiernan, Revisor of Statutes Office
Shirley Higgins, Committee Secretary

Conferees

Alan Conroy, Director, Kansas Legislative Research Department
Dale Dennis, Deputy Commissioner, Kansas State Department of Education
Ron Nitcher, Kansas State Department of Education
Mark Desetti, Kansas National Education Association
Jim Menze, Director, United School Administrators of Kansas
Dr. Sandra Crowther, Executive Director for Planning and Program Improvement, USD 497, Lawrence Public Schools
Dr. Brenda Dietrick, Superintendent, USD 437, Auburn-Washburn
Dr. John Heim, Superintendent, USD 253, Emporia

Dr. Cynthia Lane, Director of Preschool and Special Education, USD 500, Kansas City
W.L. Tony Sawyer, Superintendent, USD 501, Topeka
Mike Mathes, Superintendent, USD 345, Seaman
Rob Little, Superintendent, USD 340, Jefferson West
Diane Gjerstad, USD 259, Wichita Public Schools
Representative Bill Otto
Scott Frank, Legislative Division of Post Audit
Dr. Larry Clark, Director, Jones Institute
Bill Sailors, Director, Center for Innovative School Leadership
Gary Musselman, Executive Director, Kansas State High School Activities Association

Monday, November 14
Morning Session

The meeting of the 2010 Commission was called to order by Chairperson Rochelle Chronister at 9:35 a.m. on November 14, 2005, in Room 514-S, Statehouse. Chairperson Chronister introduced Barbara Mackey, a new member of the 2010 Commission appointed to replace Brett Potts, who resigned. She noted that Ms. Mackey had been a school administrator and a principal in the Wichita school system.

Chairperson Chronister called upon Alan Conroy, Director of the Kansas Legislative Research Department, for an overview of estimates for State General Fund receipts for FY 2006 and FY 2007 developed by the Consensus Estimating Group on November 3, 2005 (Attachment 1). Mr. Conroy reported that the Consensus Group significantly increased the FY 2006 estimate, and the initial estimate for FY 2007 was 1.2 percent above the newly revised FY 2006 figure. Noting that the Kansas economy is expected to continue to grow, he discussed the positive economic forecast for Kansas with regard to personal income, employment, agriculture, oil and gas, the inflation rate, and interest rates. For the Commission's information, he called attention to two tables. The first table compared the revised FY 2006 and new FY 2007 estimates with actual receipts from FY 2005, and the second table showed the changes in the FY 2006 estimates relative to the June 14 estimates as subsequently adjusted for legislation enacted during the 2005 Special Legislative Session. In addition, he called attention to a table which reflected State General Fund receipts, expenditures, and balances as projected for FY 2005-FY 2008. He followed with a summary of State General Fund out-year demands. In conclusion, he noted, "In FY 2007, the profile doesn't include the next round of K-12 funding. Whatever the Legislature may decide, the Governor may recommend, or whatever the Court orders; that next step, whatever the number may eventually be, that's not taken out of these numbers. That means in '08, you're back to zero, and then there's no money if there is a third step, if that's the way it turns out. There's currently no money for '08 to sustain that third step."

Chairperson Chronister called upon Dale Dennis and Ron Nitcher, Kansas State Department of Education, for an overview of federal elementary-secondary education programs and funding administered by the Kansas State Department of Education (Attachment 2). At the outset, Mr. Dennis explained that major federal education programs are funded over a 27-month period. He further explained that funds for grants awarded to Kansas on July 1, 2003, for the 2003-2004 school year had to be obligated on or before September 30, 2005, and must be expended by December 29, 2005. In this regard, he called attention to a chart reflecting that $45,000 out of $261.0 million FY 2003 funds remained in Kansas. He noted that the remaining amount was audited and refunded.

Mr. Nitcher noted that, two years ago, only three states had a better percentage than Kansas and that, basically, Kansas spends 99.98 percent of all of its federal funds. Mr. Dennis noted that the three major education programs are No Child Left Behind, IDEA (special education), and child nutrition. He followed with a detailed account of FY 2005 expenditures on various school programs under those categories. Additionally, he discussed the expenditures designed to increase student achievement by improving the quality of teachers and principals (professional development training and increasing the number of highly qualified teachers), state assessment expenditures, and expenditures for vocational and technical education. Mr. Dennis and Mr. Nitcher responded to questions from Commission members, and, for the Committee's information, they distributed copies of a booklet published by the Kansas State Board of Education, *Education Program Review 2005-2006*, in which the purpose and history of a variety of state and federally funded programs are briefly outlined (Attachment 3). In addition, they distributed copies of a table regarding federal funding in Kansas entitled, "Funds for State Formula–Allocated and Selected Student Aid Programs" (Attachment 4).

Chairperson Chronister opened the next topic on the agenda – Statutory Programs Outside the Formula: Teacher Mentoring and Professional Development. She called upon Mr. Dennis for an overview of KSA 72-1414, which provides that the State Board of Education shall adopt rules and regulations for the administration of mentor teacher programs. Mr. Dennis began by noting that Kansas loses approximately 35 percent of its teachers in a five-year period. He pointed out that, according to research, one of the reasons new teachers leave the profession is that they do not get the support and mentoring that they need. He outlined the criteria that senior teachers must meet in order to become a mentor teacher and explained that, by statute, each mentor teacher is reimbursed $1,000 per year. He pointed out that the mentor teacher program was funded in FY 2002 and was applicable only to first-year teachers; however, the program was not funded after 2002 until the 2005 Legislature appropriated $1.0 million for FY 2006 for first-year teachers. He noted that, when the program was funded in 2002, teacher retention increased by 5 to 10 percent (Attachment 5).

With regard to professional development, Mr. Dennis commented, "You talk to most folks that are in the field, they'll tell you the secret to their success is professional development. If you're teaching like you did 20 years ago, you're in serious trouble today." He went on to explain that the law designed to promote a program for continuous professional development and enhancement of skills and techniques was passed in 1984; however, the program has not been funded for the past two years. He noted that, although the 2005 Legislature approved $1.0 million for the program, approximately $7.5 million additional state aid is needed (Attachment 6).

Mark Desetti, Kansas National Education Association (KNEA), presented KNEA's views on teacher mentoring. At the outset, he informed the Commission that several years ago, he was given the responsibility of overseeing KNEA's work in new teacher mentoring and peer assistance and review, and he also served on the Kansas State Department of Education's task forces in these areas. He emphasized that KNEA believes that one of the keys to teacher quality, teacher retention, and student achievement is the effort put into helping new teachers make the transition from learning skills to putting skills into practice. He went on to describe his experience as a beginning kindergarten teacher in 1977 and the "just in time" help he received from a second-year teacher who helped him even though she was not paid for her extra efforts. He observed that, although the Legislature has provided stipends for mentors to compensate them for the extra time they give, no provision has been made to provide resources for effective program planning, for materials, for mentor training, or for regular meetings of new teachers in large group settings. Furthermore, by consistently under funding the professional development formula, the Legislature has failed to provide for the professional development of all teachers, which goes hand-in-hand with the improvement of teaching skills (Attachment 7). In closing, Mr. Desetti called attention to copies of a resource guide for teachers and school administrators which KNEA created and made widely available when mentoring legislation was first passed (Attachment 8). He noted that KNEA was hopeful that, with additional resources being targeted for schools, districts will once again be able to establish and support mentoring programs.

Mr. Desetti responded to comments and questions from Commission members. As members discussed the mentoring process, Representative Decker pointed out that each local school board makes a decision whether or not to fund a mentoring program. In response to her question as to whether mentoring is put on the table when teachers renegotiate their contract, Mr. Desetti noted, "It can be a part of that negotiating process. Whether it is or not, I agree with you, is a local decision. In the Olathe program, for example, that was really done as a cooperative effort between the local education association and the school district. I believe that the Lawrence program was developed that way as well. So, it may or may not be within the contract." He went on to say, "Your program has to be specific to the needs of your students and your faculty. I would be absolutely dead set against the state writing a mentor teacher program and saying to the school districts, 'We've given you money to implement our teacher mentoring program.' Because it's not right; it won't work for your community. It's got to be local."

Jim Menze, United School Administrators of Kansas, commented, "If you want change, there has to be change taught before it can be taught to others, and that's part of staff development. We work very hard to try to promote change through our organizations to better serve our kids. One of the organizations that the United School Administrators belongs to is the Kansas Learning First Alliance, which has 25 other associations with it." He introduced the Chairperson of the Kansas Learning First Alliance, Dr. Sandra Crowther, who is also the Executive Director for Planning and Improvement for USD 497 (Lawrence).

Dr. Crowther gave an overview of the background of the professional development law. She discussed the importance of funding and planning for quality professional development in the school districts' efforts to close the achievement gap to ensure adequate yearly progress (AYP), and she strongly recommended full funding for the current professional development law. In addition, she presented background information on the mentor teacher program. She emphasized that quality support is needed to retain new teachers, and she recommended continued funding for the mentor teacher program so that school districts can put plans in place for ongoing systems to provide trained mentors for new staff. She noted that the current system only allocates stipends to mentors of first-year teachers; however, staff in their second year often need some kind of mentoring. She suggested that, in order to see what is effective, it might be important to look at the results gained over a two- to three-year period in districts with identified mentoring programs (Attachment 9). Dr. Crowther responded to questions concerning the various types of mentoring programs of the school districts which have implemented teacher mentor programs.

Chairperson Chronister called attention to the preliminary minutes of the October 24-25, 2005, meeting. She noted that her name was not included in the list of members present.

Representative Storm moved to approve the minutes of the October 24-25, 2005, meeting of the 2010 Commission, with the addition of the Chairperson's name to the list of members present. Seconded by Dr. Daniels. The motion carried.

The meeting was recessed for lunch at 11:50 a.m.

Afternoon Session

Chairperson Chronister called the meeting to order at 1:30 p.m., at which time she called upon Dale Dennis for a review of all-day kindergarten. Before beginning the review, Mr. Dennis reminded Commission members that a question arose earlier in the meeting regarding the number and size of school districts which had participated in teacher mentoring programs. For the Commission's information, he distributed copies of a list of Kansas school districts that showed which districts participated in teacher mentoring in 2001-02. He pointed out that almost all of the school districts participated (Attachment 10).

As Mr. Dennis outlined the advantages of funding all-day kindergarten, he called attention to the portion of his written comments regarding the number of 2004-05 kindergarten students participating in full-day every day, full-day every other day, and half-day every day programs. He also called attention to his computation of the estimated state cost to implement all-day kindergarten next year (option 1) or to phase in all-day kindergarten over school years 2007-08 through 2010-11 (option 2) (Attachment 11). Mr. Dennis concluded by commenting, "Probably the most important thing that I have to say is to tell you how important this is to schools, to parents, and to the community. They're doing this out of their own pocket, and there's a little over 40 percent of them doing it. And they're eating the cost and taking away from other programs in order to do it."

Dr. Brenda Dietrich, Superintendent of USD 437 (Auburn-Washburn), explained that, in order to implement a full-day kindergarten program, USD 437 had to build more classroom space and hire more staff, and the implementation phase took two years. She outlined the district's expansion of the full-day kindergarten program, noting that the total cost in new dollars to staff full-day kindergarten in every building was $460,000, and the district spent a full year training staff in developmentally appropriate practices for a full-day kindergarten program. She summarized the on-going evaluation of the USD 437 full-day kindergarten with regard to academic skills (DIBELS test results), grade equivalent scores (STAR tests), and reading scores and ability levels (HBJ Unit tests). She noted that the full-day kindergarten has made a significant improvement in English language acquisition skills, and kindergarten teachers believe that a full-day program helps them reduce the achievement gap between incoming kindergartners who have had a rich pre-school experience and those who come to kindergarten with no pre-school experience. Through surveys given the last two years, the district has found that full-day kindergarten has improved the students' social skills and emotional behaviors/skills. In conclusion, Dr. Dietrich called attention to copies of an online survey of kindergarten and first grade teachers which indicated a strong satisfaction with the full-day program and copies of the handout used in USD 437 parent forums in 2001-02 (Attachment 12).

Dr. John Heim, Superintendent of USD 253 (Emporia), commented that his district has seen a significant increase in Hispanic and low-income students, and approximately 40 percent of the district's incoming kindergartners are in the English language learners (ELL) program. He noted that reading proficiency is linked to early oral proficiency and print-rich environments, and ELL and low-income students often lack these skills and resources. All-day kindergarten is seen as a way to help all students improve early literacy. All-day kindergarten was expanded to all Emporia elementary schools beginning in school year 2004-05 through the use of local option budget funds. Dr. Heim pointed out that DIBELS assessments show that the number of children who are still in need of intensive assistance decreased far more when students were provided a full day of instruction, and when surveyed, teachers supported that data. This year, all Emporia parents have chosen the all-day kindergarten (Attachment 13).

Chairperson Chronister called upon Dale Dennis for an overview of the four-year-old at-risk program, which was established approximately nine years ago to help children prepare for entering kindergarten. Mr. Dennis explained that the program was patterned after the three- and four-year-old Head Start program. He noted that the 2005 Legislature amended the law to eliminate the limit on the number of students who can be served. He followed with a list of the advantages of the program discussed during legislative hearings, and he calculated the estimated state cost to meet the needs of the program (Attachment 14).

Dr. Cynthia Lane, Director of Special Education and Preschool, USD 500 (Kansas City), stated that she was confident that preschool is the single most important factor to reducing the number of children requiring special education. She explained that the preschool programs for students qualifying for at-risk and special education work as a unified system in Kansas City, wherein all children are expected to achieve at high standards following the same rigorous curriculum. She noted that, due directly to the collaboration between the at-risk preschool and special education, 12 percent of children with disabilities were dismissed from all special education services. In addition, 47 percent of children with disabilities were performing at high enough levels to go directly into kindergarten classrooms for all or most of their academic services. She went on to outline the qualifications for the four-year-old preschool program, noting that the high level of poverty prevalent in USD 500 elevates the need for high quality preschool programs. She pointed out that preschool is especially vital for children who, by no fault of their own, have not had the experiences necessary to compete at the kindergarten level. She observed that preschool has changed dramatically over the past few years from organized play to a structured and purposeful curriculum to ensure that children are developing cognitive, social-behavioral, and physical skills. She noted that the key to the success of the district's preschool program is the skill and knowledge of the preschool teacher; however, the school does not accomplish quality programs alone. The preschool program works collaboratively with parents and community agents. In conclusion, Dr. Lane reported that USD 500 received funding for 417 at-risk preschool students this year; however, preschool was being provided for 13 additional students who qualified for at-risk services. She noted that an additional 55 children were on a waiting list. She expressed her strong support for the flexibility to request additional funds when the number of at-risk students is in excess of projections (Attachment 15).

W.L. Tony Sawyer, Superintendent of USD 501 (Topeka), commented that educators attempt to serve all students so that everyone will be afforded an opportunity to truly compete. He then distributed a publication regarding Let's Help preschools in Topeka and called attention to a table on page two which compares the results of math and reading tests for all kindergarten students with Let's Help preschool students in USD 501 over the past three years (Attachment 16). He pointed out that, in 2005, Let's Help students were identified for a significantly lesser percentage of kindergarten student improvement plans when compared to kindergarten students in the district overall. He noted that 86 percent of the district's pre-kindergarten teachers have a bachelor's degree or higher, which makes the program distinctly different from a day care program. In conclusion, he stated, "The degree to which our children make connections is the degree to which they will be successful in the K-12 experience. I'm hoping, as a result of activating the schema of these youngsters at a very early age, we will have an effect on teacher transiency and hopefully have an effect on these youngsters graduating from twelfth grade."

Chairperson Chronister called upon Dale Dennis for an overview of special education funding at 100 percent. Mr. Dennis began by defining "excess cost" as the amount required above the cost of a “regular” child to meet the need. He distributed a memorandum on special education excess costs and called attention to a section on page three entitled “FY 2007 projection–Special Education Expenditures and Excess Costs Based on Current Law.” He explained the computation of excess cost line by line. He further explained that item 11 (A) and 11 (B) on page two referred to the current statutory requirements for excess cost for school years 2005-06 (89.3 percent) and 2006-07 (92 percent). He noted that, due to the limited increases in federal funds and the increases in budget authority granted by the 2005 Legislature, it is anticipated that the excess cost for special education will go up approximately $31,000,000 to reach 92 percent of excess cost, assuming the statutory amount is funded in FY 2006 (Attachment 17). For the Commission’s information, he distributed a table regarding special education expenditures from FY 1983 through FY 2007 (Attachment 18).

Chairperson Chronister opened the next topic on the agenda – Overview and Estimates of Lowering the 2.5-mile Transportation Weighting. Mr. Dennis explained that the School District Finance and Quality Performance Act provides that resident students of a school district are eligible for state transportation aid only if they reside 2.5 miles or more from school. He noted that frequently, the question arises whether the mileage should be lowered for both urban and rural areas due to concerns about the safety of small children walking 2.5 miles to and from school. He called attention to a chart listing facts about the state transportation program and a chart showing the estimated state cost for reducing mileage from 2.5 to 2 miles, from 2.5 to 1.5 miles, and from 2.5 to 1.0 miles (Attachment 19).

Mike Mathes, Superintendent of USD 345 (Seaman), noted that transportation weighting involves equity and safety issues. He explained that very few elementary students in USD 345 live more than 2.5 miles from their school; however, many times the only way they can walk to school is to walk on a road, because 90 percent of the area has roads with steep ditches and no sidewalks. Due to strong concerns for their safety, transportation is offered to all students, but USD 345 receives transportation aid on only 44.1 percent of its students. On the other hand, a similar school district in the area receives transportation aid on 74.7 percent of its students due to the fact that it has a neighborhood configuration that results in many more students living more than 2.5 miles from their school. He pointed out that, although both districts have similar expenditures for transportation, the district similar to USD 345 receives $420,000 more in state transportation aid. He commented, “This is money that could go to improve our classroom instruction.” With this, he strongly recommended that the 2.5-mile limit for state transportation aid be reduced to one-half mile (Attachment 20).

Rob Little, Superintendent of USD 340 (Jefferson West), stated that his support for lowering the 2.5-mile limit for transportation weighting was based upon concern for the safety of the students in his district. He explained that many of the students must walk across K-4 at the height of morning and afternoon traffic, and surrounding country roads near school buildings are heavily traveled. He noted that tragic automobile accidents in the area heightened the community’s focus on the safe transportation of school children. Officials with the district felt that the safety issues were best met by transporting students who live under the 2.5-mile limit (12 percent), even though the expense was not included in their transportation weighting (Attachment 21).

Diane Gjerstad, representing USD 259 (Wichita), commented that the 2.5-mile threshold does not reflect the need of today’s families because it was established in the 1960s, when communities and families were different. She pointed out that local boards are subsidizing busing because the state formula does not reflect the reality of how communities look now. She noted that lowering the threshold would mean more families could share in the basic convenience of having their children safely bused to school. In addition, she noted that many times a family does not have a reliable means to get their student to school; therefore, the student misses valuable learning time. She concluded, "It's far past time to lower the mileage threshold. It's past time we recognize, even in Kansas, it's not 1960 any more" (Attachment 22).

Representative Bill Otto informed the Commission that he intended to introduce a bill in the 2006 Legislative Session which would provide that school districts must transport students living within one mile to two and one-half miles from school and that the weighting factor for students in that category would be computed at .5. He explained that the largest school district in the rural district he represents does not transport children. Thus, children must walk on Highway 54 on their way to school. He recalled that the Speaker of the House proposed legislation which would prevent sex offenders from living within a mile from schools. He commented, "What's the point of keeping sex offenders a mile from school when the kid has to walk past their door? I really think it's time to step up to the plate for the safety of children."

Chairperson Chronister opened a discussion on potential topics for the five-person audit team created by the 2005 Legislature to conduct school district audits. Barbara Hinton, Legislative Post Auditor, noted that the Legislature specified that the 2010 Commission shall direct the audit work to be performed by the team. She distributed a handout with information to assist the Commission in the process of identifying and selecting audit topics. The handout also included a copy of KSA 46-1131 concerning the scope of school district performance audits. Scott Frank, director of the Post Audit team, reviewed the potential audit areas which were outlined in the handout under the following headings: (1) general efficiency audits; (2) financial issues; (3) data accuracy; (4) special needs programs; (5) teacher issues; (6) non-traditional settings; and (7) miscellaneous (Attachment 23).

Chairperson Chronister commented that, in her opinion, the topic in subsection (b) (11) of KSA 46-1131 would be of interest to the Commission (best practices or innovative procedures, practices or controls operating within any school districts that could present opportunities for other school districts to operate more efficiently).

Senator Schodorf commented that the 2010 Commission was created to provide a means to monitor ongoing actual costs and school programs. She suggested that the Commission determine what subject should be addressed first. She noted that the Commission would have a clearer idea of the direction it should follow after the Legislative Post Audit cost study analysis was completed.

Representative Storm noted that the topics discussed had been addressed by other states and suggested that the Commission look at topics that other states have not examined. In response, Chairperson Chronister noted that several persons had suggested to her that the Commission review non-traditional school settings. Senator Schodorf commented that the 2010 Commission was created to conduct an on-going analysis of actual costs for public schools to provide an adequate education; therefore, a review of non-traditional school settings would not be a priority. A brief discussion followed, regarding charter schools and other alternative schools.

Senator Schodorf suggested that the retention of teachers and four-year-old at-risk programs would be appropriate topics for an audit. Carolyn Campbell suggested consideration of special funding for hard-to-staff schools to encourage teachers to teach in difficult neighborhoods. At this point, Dennis Jones stated that he felt there was a need for the Commission to think "outside the box." He commented, "The question is, are we going to fund education as a priority in Kansas as a benefit to children as leaders of tomorrow or are we going to continue to treat education as a battle ground between the Legislature, the courts, and the executive branch of the government. And the kids get lost. That's what's happened for the last 12 years in Kansas. The most important issue basic to Kansas is the retention of quality teachers. We have got to retain quality educators if we're going to provide a quality education. Those are the types of things that I think this Commission should address. In terms of funding, we've got to think outside the box. We've got to come up with something better. I would like to see us at some point in time have a roundtable discussion among those of us here. We are getting an awful lot of outside information to assimilate all at one time."

Chairperson Chronister commented that the Commission would be ready for "real work" in January 2006, after Standard and Poor's and the Legislative Division of Post Audit presented their findings. Senator Schodorf informed members that a group composed of herself, Dr. Daniels, Dr. Alexa Posny, Carol Rupe, and a member from the Governor's staff, did a MCREL exercise on scenario planning for education, which they felt was helpful. She suggested that scenario planning might be appropriate when the Commission begins to prioritize.

Chairperson Chronister commented, "I do not think that the '92 formula is unconstitutional. I think in many ways that formula was correct. The problem was it was never kept up to date. The fourth enrollment category was not taken care of as it should have been at that time, but I think has been since. But the shortage of money is probably the biggest problem. I'm not sure we need to create a new formula is what I'm saying to you all."

The meeting was adjourned at 4:25 p.m.

Tuesday, November 15

Chairperson Chronister called the meeting to order at 9:00 a.m. at which time she called upon Dr. Larry Clark, Director of the Jones Institute, to begin an overview of the Center for Innovative School Leadership. Dr. Clark introduced Bill Sailors, Director of the Center for Innovative School Leadership, who discussed the purpose of the Center and the duties of the Center's team members as summarized in a booklet entitled *Effectiveness & Efficiency School Reviews*, which was prepared for the Commission's information (Attachment 24). He explained that the Center was created by the 2004 Legislature, and it has become a joint venture between Emporia State, Pittsburg State, and Fort Hays State. He further explained that team members from the Center visit schools on a voluntary basis to review their operations in order to determine if there are ways the Center can help them become more efficient. He followed with a detailed report on a recent pilot review that a team conducted in Hugoton. He noted that the team will prepare an executive summary for the Center regarding their findings, commendations, recommendations for improvements, and the costs to the district associated with the improvements. Both the superintendent and the school board will receive a copy of the findings.

Dr. Clark commented that, after the results from the Hugoton review are available, changes may be made before conducting a pilot review in Uniontown. He explained, "We're hoping that, after we go to Uniontown, we will have a document that this is the format that we're going to follow for the rest of the reviews. Along the way, we may decide that we need to have two days instead of one day. We just arbitrarily started out with a one-day review. For the pilots, we discussed with the other universities' representatives that we were going to keep the cost minimal so we could get volunteers in the program. But along the way, we are going to have to start charging for that service if we're going to sustain the program. Once we see what results we are getting and how much money we might be saving, then that will determine how much we are going to charge in the future for future reviews. Right now, we're still in the pilots. We're still shifting. We may determine that we do need another staff member or two new staff members to get the number of reviews we want to get done. We started off small. We're developing a program, trying to be as efficient as we can."

Chairperson Chronister called upon Theresa Kiernan, Revisor of Statues Office, for an overview of school finance litigation in other states. After discussing equity claims, adequacy-based claims, and the court's role in education policy and funding, Ms. Kiernan summarized school finance litigation in Arizona, Arkansas, Colorado, Georgia, Kansas, Kentucky, Montana, Nebraska, North Carolina, Tennessee, Texas, West Virginia, and Wyoming (Attachment 25).

Carolyn Rampey, Kansas Legislative Research Department, followed with a review of major school finance studies conducted during the 1990s and 2000s that pertain to the current method of funding schools. Her review included the following topics:

- Report on the Governor's Task Force on Public School Financing–1991;
- Kansas Commission on Education Restructuring and Accountability–1992;
- Multi-Phased Study of an Economy of Scale Weight Factor for Low Enrollment;
- Districts in the State of Kansas–1994;
- Vision 21st Century Initiative on K-12 Education: Financing for Results–2000;
- The Augenblick and Myers Study–2002;
- Education First: An Education Plan for Kansas (Governor Kathleen Sebelius) –2004;
- Survey on Education Costs by the State Department of Education–2005; and
- Select Joint Committee on School Finance–2004 (Attachment 26).

Chairperson Chronister called upon Ms. Rampey for a review of the use of sales taxes to fund Kansas schools. Ms. Rampey noted that, currently, there are two areas in the state where sales tax revenues are credited to school districts – Johnson County and the City of Coffeyville. She called attention to a table showing what each district in Johnson County and Coffeyville received in school year 2004-05. She followed with a report on relevant litigation and discussed some related policy issues (Attachment 27).

Chairperson Chronister called upon Gary Musselman, Executive Director of the Kansas State High School Activities Association (KSHSAA), for an overview of the role of KSHSAA in K-12 education. At the outset, Mr. Musselman clarified that KSHSAA is an activities association, not an athletic association. He then distributed the following handouts: a copy of the KSHSAA website (Attachment 28); a copy of the KSHSAA purpose statement (Attachment 29); a list of classifications and enrollments for 2005-06 (Attachment 30); the 2005-2010 KSHSAA projected calendar (Attachment 31); tables on KSHSAA school student activity participation surveys (Attachment 32); a copy of the summary of the results of a survey on the loss of school instructional time in member schools (Attachment 33); and a photo map of the 2005-2006 student advisory team (Attachment 34). He also distributed copies of the program for the National High School Activities Week (October 16-

22, 2005) sponsored by KSHSAA and copies of the 2005-2006 edition of the *KSHSAA Handbook*, which also is online. He discussed the contents of each handout, with emphasis on how the Association is governed and financed. He pointed out that the *KSHSAA Handbook* includes a mission statement, pictures of the members of various boards, identifying statutes, KSHSAA bylaws, and KSHSAA rules and regulations. He discussed the duties of the KSHSAA boards, the bylaws, and the rules and regulations in detail.

Chairperson Chronister informed the Commission it was very possible that the final report on education by Standard and Poor's was tentatively scheduled to be presented to the LEPC on December 13. She suggested that the 2010 Commission meet jointly with the LEPC in December. She noted that, if the Standard and Poor's report is not completed as anticipated, the Commission will not meet until January 2006, at a time to be announced.

The meeting was adjourned at 12:15 p.m.

Prepared by Shirley Higgins
Edited by Kathie Sparks

Approved by the Commission on:

December 13, 2005
(date)