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## **OPPONENT IN PERSON TESTIMONY HB 2650**

WEDNESDAY, FEBRUARY 7, 2024

K-12 Education Budget Committee

Kansas State Board of Education, Liaisons, Ann Mah and Deena Horst

Chairperson Williams and Committee Members:

Thank you for the opportunity to testify in opposition to HB 2560.

HB 2650 attempts to make changes to several aspects of funding and tracking of at-risk students in Kansas but misses the mark. The Kansas State Board of Education (State Board) believes this bill is in derogation of the Kansas State Board of Education's constitutional authority to adopt academic standards and accredit systems.

### HOW WE GOT HERE

State Board agrees that more progress must be made in closing the achievement gap among our at-risk students. However, success will only be achieved when all parties work together.

There has been a great deal of emphasis placed on why 2022 state assessment scores have declined since 2017. However, when you examine the funding trail and the COVID impact, the answers are obvious.

By 2017, Kansas schools had been constitutionally underfunded for years. And who could forget the 2015-2016 "grant fund" years when schools ended the year early, cut teaching positions, shut down programs, spent their reserves, and went to 4-day school weeks just to keep the doors open? In 2017, we received a court order to improve adequacy and equity, but court orders do not turn things around with a snap of the fingers.

In 2017 there was a move toward infusing \$500 million in additional funding, but that was not completed until 2022. So why would anyone expect results to improve



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during that time? By 2022, about 20% of the \$500 million infusion had been erased when districts had to spend more than \$100 million of their new money to cover the shortfall of Special Education funding. Let's not forget the WestEd cost study the Legislature commissioned said that \$500 million was just a "maintenance" amount, with no improvement in results expected. The WestEd study said that it would require 1.7 to \$2.0 billion more a year to make progress toward meeting the Rose Capacities and the State Board goals, \$. So, when only 80% of the maintenance amount arrived by 2022, who could be surprised by the results?

#### THE SPECIAL CASE OF AT-RISK STUDENTS

In 2020, the nation experienced the COVID pandemic. Reports nationwide indicate that COVID caused learning loss across the board, but especially with low-income students. According to two Brookings reports ([How is COVID-19 affecting student learning? | Brookings](#) and [The pandemic has had devastating impacts on learning. What will it take to help students catch up?](#)), students beginning the fall of 2020 would only have about "70% of the learning gains in reading relative to a typical school year. In mathematics, students were predicted to show even smaller learning gains from the previous year, returning with less than 50% of typical gains" (December 2020 article). And that is for the average student.

In Kansas, students in the two districts with the greatest numbers of at-risk students were in a virtual learning mode for a full year. The Brookings report (March 2022) notes that "test-score gaps between students in low-poverty and high-poverty elementary schools grew by approximately 20% (corresponding to 0.20 SDs) and 15% in reading (0.13 SEs), primarily during the 2020-21 school year. Further, achievement tended to drop more between fall 2020 and 2021 than between 2019 and 2020 (both overall and differentially by school poverty), indicating that disruptions to learning have continued to negatively impact students well past the initial hits following the spring 2020 school closures." Even districts that remained in-person felt the COVID impact on instruction time with disruptions caused by rolling closures and quarantines.

The ongoing impact of the pandemic played out in other ways, particularly in chronic absenteeism, which we believe has played a major role in negatively impacting learning recovery. In 2019, for example, chronic absenteeism was 13.9%



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statewide. During COVID, it peaked at 25.7%. This year it is down to 21.8%. This is also a particular issue for students scoring at Level 1 on state assessments who have a chronic absentee rate of 35.6%. Students can't learn when they are not in school. So, the State Board has pressed districts to address the issue.

COVID also introduced an increased need for mental health supports in Kansas schools. One urban district superintendent told us just last week that students returned to in-person learning with more stress, depression, and aggression, and that these issues still remain. Students showed a lack of socialization. Parents also were more aggressive, with many being out of work and experiencing issues at home. The State Board is thankful for the work the Legislature has done to address the growing mental health crisis in schools and requests that even more funding be provided for that effort next year.

Kansas is no different than other states. We simply cannot overlook the devastating impact of COVID on our at-risk students.

#### THE STATE BOARD TAKES ACTION

When the State Board received its 2020 discretionary ESSER funds, we made a decision to invest in the one thing we knew would make a difference – structured literacy. Even though the Dyslexia task force made recommendations on teacher training in 2019, funding for teacher training failed to follow. The State Board allocated \$15 million of its discretionary ESSER funds to provide free LETRS training to pre-K-12 teachers. To date, about 6,000 Kansas teachers have participated in this training. We also asked school districts to require six hours of initial training in structured literacy. You can only imagine how unpopular that was with districts in the middle of all they had to deal with in 2020, but the State Board said that we could not afford to lose one more year in the effort.

Our largest schools with the most at-risk students did not return to in-person learning until spring 2021. Nationwide, the impacts of COVID were devastating on academic results. Let's look at the ELA and Math results for Kansas free and reduced lunch students before and after COVID in Level 1.



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Why am I looking at just Level 1? Because Level 2 students have a basic understanding of and meet standards. I know there was some question about that in the Committee, but I want to be clear with you on that point.

Neil Kingston, director of the Achievement & Assessment Institute at KU has questioned the belief that a Level 2 score is substandard. "It becomes a very political issue, because Level 2 is considered by some people — often by policymakers that are not heavily involved in education all the time — (as) 'That's not good enough,'" he said. "We're saying, 'You have the basics already. You're on track for college and career readiness.' But it's not always interpreted that way."

We also know that students in Level 2 in Math and English Language Arts correlate to a graduation rate of 90% or more and have a postsecondary success rate of 48-64% (lower Level 2 and upper Level 2). So, the State Board is pressing schools to work in particular on helping students scoring in Level 1 in Math and ELA do better, as they have a "limited" grasp of the standards.

LEVEL 1	2017	2018	2019	2021	2022	2023
Math	38.87	41.15	39.98	48.4	48.13	46.22
ELA	39.41	42.03	41.97	43.65	47.57	45.9

The State Board implemented a number of strategies to counter the impact of COVID and underfunding on at-risk students. Here is a short list:

1. Kansas received more than a billion dollars in ESSER (COVID relief) funds for public schools. As of June 2023, over 70% of funds were used for learning loss recovery. In particular, the State Board pressed for more summer learning, after school learning, tutoring, and bonuses to retain our teaching staff.
2. The State Board funded Sunflower Summer to get families back out together in educational and fun venues.
3. Besides investing \$15 million in LETRS training, the State Board spent \$2 million in a new math teaching strategy that we will own.



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4. Providing more detailed and disaggregated data for districts on student achievement so they can better target learning strategies.

We know these efforts are making a difference. The 2023 state assessment results in ELA and Math for free and reduced lunch students showed we are turning the corner. We have every reason to believe that progress will continue.

#### NEXT STEPS

The State Board is taking steps to improve academic achievement for all students in Kansas, and we believe this effort will particularly benefit at-risk students. We are modifying our accreditation plan to help districts focus on four fundamentals: structured literacy, aligning curriculum and standards, balanced assessments, and high-quality instruction.

The bill recommends changes to the Local Consolidated Plan (LCP) that are convoluted and not helpful. KSDE staff has some recommendations for the LCP that will make it more useful and actionable.

All parties seem to agree that the current law regarding the approved at-risk programs needs to be revised so that we can have a list of approved programs that is robust and helpful to schools. KSDE staff is bringing a revised list with recommendations for peer review and ways for schools to explore innovations to the State Board at its February meeting. We would be glad to work with the Committee to move forward on these ideas once approved by the State Board.

The bottom line is that the State Board would be glad to work with the Committee on ways we can better serve at-risk students. But to make that happen, we need to have a seat at the table and not be hearing ideas for the first time a few days before a hearing is held. We also have the experts you need to advise you on how to interpret results and identify best practices. We look forward to moving forward together on a better bill.