

Testimony

HB 2540

Presented to the Senate Education Committee

Wednesday, March 11, 2020

By

Deena Horst and Jim Porter, Legislative Liaisons for
The Kansas State Board of Education

Madam Chair and members of the committee,

Thank you for this opportunity to present testimony in opposition to some of the provisions of HB 2540.

The State Board of Education agrees that it has the responsibility to provide guidance to school districts on the effective use of at-risk funding and it also supports appropriate accountability measures.

In response to the Legislative Post Audit of At-Risk Funding, the State Board of Education is preparing a list of programs and services that is as comprehensive as possible and which have evidence to indicate that they are effective in addressing the needs of students who are exhibiting behaviors consistent with being at-risk because of academic and/or social-emotional issues.

Each evidenced-based program or service at one time was developed by a creative person or group and this bill, unfortunately, completely eliminates the possibility of creative solutions. If the "approved" programs are not working, teachers regularly try to find or develop other methods that will address those issues impacting student success. The ability to experiment and to find creative solutions needs to be a part of the equation. We would suggest that the provisional definition be expanded to include creative solutions developed by practicing teachers in Kansas School Districts.

Several of the reporting requirements starting on page 4, line 5, are unworkable. Reporting the number of students receiving at-risk services is, of course, reasonable. Most schools do not have a research staff, so unless the fact that a program or service is on the State Board of Education approved list satisfies this requirement, this provision puts an undue burden on staff whose priority should be to spend their time providing those services and programs to students instead of preparing reports to, for example, compare achievement of groups of students.

Students receiving at-risk services rarely receive only one service. When a student is involved in summer school, before and after school tutoring, differentiated programming in the classroom, counseling, etc., it is not possible to determine which or what combination of programs contributed to improvement. Although each school in Kansas will make an attempt to provide the required information, each school will likely be out of compliance because the data will be the report preparer's best guesstimate as to why improvement occurred. This is not only an extremely time-consuming provision, but it is unworkable. Decisions impacting the success of students should be made on the basis of student need, not to provide data for an audit.

Several of these provisions appear to assume that at-risk students are only those who are academically behind. Schools are consistently reporting that student trauma and the impact of adverse childhood experiences are directly affecting the emotional health of a multitude of students. Programs that address social and emotional issues are difficult, if not impossible, to measure. Schools are consistently developing "family" groups to make certain that no student is isolated or without connections with others.

Change in attendance, office referrals, reports of bullying behaviors, etc. can be documented, but who did not run away from home today or who did not commit suicide today because of these interventions is not and cannot be known or documented.

On a different note, there were several completed audits that were amended into the bill on the House Floor. It would seem appropriate to delete those audits from the Statute Books.

In conclusion, the State Board of Education accepts its responsibility to provide guidance to school districts and believes that schools should be accountable for the effective use of funds. However, it also believes that many of the provisions of this bill, listed above, do not help in achieving the goal of the success of EACH student and also place an unacceptable burden on those providing direct services and programs.

The State Board of Education stands ready and able to be a partner with the Legislature and others to find solutions that help achieve the vision that "Kansas Leads the World in the Success of Each Student."