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Written Opponent Testimony

HB 2690 – Creating the Every Child Can Read Act to support literacy proficiency by third grade and establishing the legislative award for excellence in teaching program and fund to provide merit-based teaching bonus awards to high-performing teachers

Presented to the
House Committee on K – 12 Education Budget
Tuesday, February 15, 2022

By
Deena Horst and Ben Jones, Legislative Liaisons
Kansas State Board of Education

Chairwoman Williams, Vice-Chairman Hoffman, and Ranking Minority Member Winn and members of the House Committee on K – 12 Education Budget:

Thank you for allowing our input on HB 2690.

While we are pleased that you are affirming that excellence in education provides students a path to success and thus the state certainly will also benefit, there are studies that do not support your claim that a student must first acquire academic success to acquire soft skills. [There are academically successful individuals who reportedly have not mastered soft skills while, on the other hand, there are at least as many individuals who never acquired academic success but who have demonstrated they have the soft skills employers desire.] We are also pleased you wish to be consistently informed of annual reviews of academic achievement on state assessments as well as interventions, goals and strategies that are being utilized to move all students toward academic gains. As you are aware, the department has annually presented this data to you and they will continue to do so.

We also are happy that the Legislature desires to partner with the State Board of Education and the Department of Education as we work together to ensure all students are reading at grade level. It is concerning that the Legislature has determined what should be included in student instruction instead of the expert staff at the Department of Education. The Kansas State Department of Education staff is more than capable of developing the list of instructional strategies known to be best-practice. Listing it in statute indicates you don't believe the KSDE

staff has the training to lead this effort. Additionally, including specific lists of instructional strategies in statute would require a change in law whenever outdated strategies need to be removed or new ones added. Flexibility in language is necessary. Staff would be happy to share with you their knowledge, and what is being required of teachers. The State Board received an update on reading initiatives on February 8, 2022, which can be viewed on YouTube on the KSDE Livemedia channel. You seem to forget that there are English Language Arts standards that each school is expected to follow and it seems this the bill is re-writing some of the standards without the input of teachers and subject matter experts. We are disappointed, one more time, that the Legislature is dictating instead of working in partnership with the State Board of Education and the Department of Education. It was asked at the Joint Special Education Committee meeting in December what issue we could work on together. Members of the Legislature, the State Board Member present and the Commissioner of Education agreed that focusing on proficiency for third-graders in reading was an appropriate goal for the Legislature and the State Board of Education to work on together. From our point of view, working together means sitting down together and literally determining how to best find a solution. The State Board worked with the Legislature and various stakeholders on the Dyslexia Task Force who developed adopted regulations that address teaching struggling readers. We achieved this by working together. This bill violates the idea of working together.

Sections 1 and 2 of this bill cover the areas we should be determining together. We believe that setting up a Literacy Task Force to monitor and inform the process is of high importance; therefore, we would urge your committee to amend Section 1 and 2 by requiring the appointment of a Literacy Task Force.

Additionally, we have deep concerns about the proposal to use High-Density At-Risk Funding to fund merit pay for teachers. In sweeping High-Density At-Risk funds, you are starving school districts of needed funds up front to accomplish these goals and unfairly targeting districts with high poverty levels. Schools cannot achieve goals without the proper resources in place at the beginning.

Also, we are not certain why the additional data that is amended into K.S.A. 2021 Supp.72-5178 is needed. There is a limit to how much data the State Department of Education is realistically able to provide. They have limited staff and their main purpose is to provide the educators in the field with the data and training they need to make quality decisions and to provide any assistance districts may need in curriculum, etc.

Thank you again for the opportunity to testify regarding HB 2690.