

MINUTES

2010 COMMISSION

June 29, 2009
Room 545-N—Statehouse

Members Present

Rochelle Chronister, Chairperson
Dr. Ray Daniels, Vice-Chairperson
Senator Jean Kurtis Schodorf
Representative Marti Crow
Dennis Jones
Carolyn Campbell
Terri Canfield
Barb Hinton
Stephen Iliff

Members Absent

Representative Clay Aurand
Emile McGill

Staff Present

Sharon Wenger, Kansas Legislative Research Department
Martha Dorsey, Kansas Legislative Research Department
Theresa Kiernan, Office of the Revisor of Statutes
Kristen Kellems, Office of the Revisor of Statutes
Matt Sterling, Office of the Revisor of Statutes
Dale Dennis, Kansas Department of Education
Janet Henning, Committee Assistant

Others Present

Scott Frank, Division of Legislative Post Audit
Laurel Murdie, Division of Legislative Post Audit
Lindsay Rousseau, Division of Legislative Post Audit
Alex Gard, Division of Legislative Post Audit
Jim Lentz, Augusta USD 402
Dr. John Heim, Emporia USD 253

Dr. Brenda Dietrich, Auburn-Washburn USD 437
Destry Brown, Pittsburg USD 250
Dennis Stones, Sabetha USD 441
Beth Reust, Plainville USD 270
Marvin Estes, Winfield USD 465
Jill Shackelford, Kansas City Kansas Public Schools USD 500
Dr. Tom Trigg, Blue Valley USD 229
Diane Gjerstad, Wichita Public Schools
Renee Erickson, Wichita Public Schools
Dodie Wellshear, United School Administrators of Kansas
Cheryl Semmel, United School Administrators of Kansas
Mark Tallman, Kansas Association of School Boards
Wendy Moore, Emporia USD 253
William Clark, Mission Valley USD 330
Vicki Adams, Liberal USD 480
Cheryl Keim, Clifton-Clyde USD 224
David Couch, Russell County USD 407
Mike Reece, K12, Inc.
Ethan Patterson, Little Government Relations
Jody Denson, MARC
Megan Word, Salvation Army
Martin Hawver, Hawver Publications
Jennifer Crow, Topeka USD 501
Terry Forsyth, Kansas National Education Association
Sue Storm, Kansas State Board of Education
Berend Koops, Hein Law Firm
Val DeFever, Schools for Quality Education
Bill Brady, Schools for Fair Funding
David Smith, Kansas City Kansas Public Schools USD 500
Bill Reardon, Kansas City Kansas Public Schools USD 500

Morning Session

The meeting of the 2010 Commission was called to order at 10:00 a.m. by Chairperson Chronister.

Presentation of School District Survey Data

Mr. Dale Dennis, Deputy Commissioner, Kansas State Department of Education (KSDE), told Commission members that, at their request, KSDE had conducted a survey of unified school districts/interlocals/service centers concerning how many programs and positions were reduced or eliminated due to a reduction in funding for the 2009-10 school year ([Attachment 1](#)).

- How many licensed positions were eliminated for the 2009-10 school year?

Total number (headcount):	2,101
Estimated dollars reduced:	\$73,172,714

- How many non-licensed positions were eliminated for the 2009-10 school year?

Total number (headcount):	1,603
Estimated dollars reduced:	\$26,348,456

- How many other cost-saving measures were reduced or eliminated for the 2009-10 school year (excluding salaries)?

Estimated reductions of programs (excluding staff)	\$67,692,746
Total Positions	3,704
Total Estimated Reductions	\$167,213,916

A question and answer session followed the presentation.

Presentations by School Superintendents Regarding District Budget Cuts and Future Priorities

Dodie Wellshear, representing United School Administrators of Kansas, gave a brief introduction of the school superintendents who would be presenting testimony to the 2010 Commission members.

Mr. Jim Lentz, Superintendent, USD 402, Augusta, Kansas, told Commission members that USD 402 will begin the 2009-10 school year with \$317 per pupil or \$823,725 total Base State Aid Per Pupil (BSAPP) less than they would have had if the Kansas Legislature had funded the existing law. USD 402 has been forced to reduce its budget for 2009-10 by \$615,353 which includes \$397,571 BSAPP and \$217,782 capital outlay equalization aid. Mr. Lentz told Commission members the number one goal for the Board of Education in USD 402 is increased student learning. He further stated that every effort was made to make cuts that did not affect the quality of education in the classroom.

Mr. Lentz told Commission members the economic future of Kansas depends on the quality of its work force which depends on the State's education system. He also stated there is no question that schools must rethink not only what and how they deliver learning, but also must retrain staff and reorganize their schools to be even more effective. He stated that if the education system in Kansas is to be successful in training our young people and retraining existing workers for success in the 21st century, adequate funding must be provided ([Attachment 2](#)).

Mr. Lentz distributed a memorandum from the Kansas State Department of Education regarding the Base State Aid Per Pupil comparison considered during the 2009 Legislative Session. Dale Dennis gave a brief explanation of the memorandum ([Attachment 3](#)).

A brief question and answer session followed the presentation.

Dr. John Heim, Superintendent, USD 253, Emporia, spoke to Commission members about how the school district had used its resources and what the effects have been. Dr. Heim told Commission members that Emporia has had a significant change in demographics in the last ten years. He told Commission members the district had less than ten percent of English as a Second Language (ESL) students in the late 1990's, and last year this has increased to over 30 percent. He advised there also has been an increase of Hispanic students from 30 percent to over 50 percent and an approximate 50 percent increase in low-income students.

Dr. Heim told Commission members the district recognized there were some problems with student achievement. The district had to reorganize, not only the curriculum, but also intervention within the district. With the increased resources over the past few years, the district was able to develop a strong core curriculum, diagnostic assessments, and specifically designed prescriptive interventions. Dr. Heim stated the district has chosen to provide additional professional development for teachers as well as providing additional staff. As a result, the student achievement has increased dramatically in reading and math (Attachment 4).

A brief question and answer session followed the presentation.

Dr. Brenda Dietrich, Superintendent, USD 437, Auburn-Washburn, told Commission members that the district is the 16th largest school district in Kansas. Dr. Dietrich stated that even though USD 437 is growing and changing, the schools continued to perform at a very high level, reaching the State Standard of Excellence in every building and every year for the past several years.

Dr. Dietrich stated everyone understands the seriousness of the state's budget crisis. She stressed to Commission members the importance of convincing policymakers that education funding should be a top priority (Attachment 5).

A brief question and answer session followed the presentation.

Destry Brown, Superintendent, USD 250, Pittsburg, spoke to Commission members regarding the Pittsburg school district. Mr. Brown told Commission members the school district is the largest in southeast Kansas. He stated that even though there has been growth and changes in the district, the schools are achieving at very high standards.

Mr. Brown stated the district has been able to make progress because of the increased funding for at-risk students. He stated the district has used this money to provide after school and summer school programs and has hired additional personnel to work with students in the primary grades in the areas of reading and math.

Mr. Brown stressed to Commission members the importance of all-day kindergarten. He stated the district has many children who come to the schools without any preschool experiences; therefore, all-day kindergarten is no longer an option, but a necessity. Because of the increase in their community of students living in poverty, it is essential that the district be able to provide an all-day kindergarten program that is fully funded by counting each kindergartner at 1.0 full-time equivalent (FTE) student.

Mr. Brown stated that with the growing number of ESL students, the district has needed to provide more language support services. He stated the students coming to their schools speaking languages other than English have made tremendous progress. However, they are not able to continue to provide the kind of support that is believed most beneficial to these children because of the lack of continued funding.

Mr. Brown told Commission members that many families in the school district do not have access to adequate health care services. He stressed the importance of the Legislature beginning to plan for some type of health care program that can be accessed by everyone (Attachment 6).

A brief question and answer session followed the presentation.

Scott Frank, Audit Manager, Legislative Post Audit, spoke to Commission members regarding the Legislative Post Audit Summary of School District Performance Audits currently underway or approved as of June, 2009 (Attachment 7).

The proposed audits included:

- *K-12 Education: Identifying Ways Kansas School Districts Encourage Parental Involvement;*
- *K-12 Education: Reviewing Issues Related to the Cost of the Health Care Benefits Provided by School Districts; and*
- *K-12 Education: Reviewing School Districts' Use of Medicaid Reimbursements to Pay for Special Education Services.*

Mr. Frank also distributed the following publications indicating there has already been much work done in the area of parental involvement:

- *Creating Family, School, & Community Partnerships featuring Successful Parent Involvement Practices in Kansas Schools* (On file: Kansas Parent Information Resource Center www.kpirc.org)
- *Working Together: A Parent Involvement Guide for Kansas Teachers* (On File: Kansas Parent Information Resource Center www.kpirc.org)

After discussion by Commission members, *Dr. Daniels withdrew his request for the audit entitled "K-12 Education: Identifying Ways Kansas School Districts Encourage Parental Involvement."* Chairperson Chronister asked if any Commission member objected to the withdrawal of the request. *With no objections, the request was withdrawn.*

Mr. Frank reviewed the scope statement entitled *K-12 Education: Reviewing Issues Related to Catastrophic Funding for Special Education* (Attachment 8).

Representative Crow moved to authorize the study regarding catastrophic funding for Special Education. The motion was seconded by Dennis Jones. The motion carried.

Mr. Frank and Barbara Hinton reviewed the letter sent by Legislative Post Audit to all school district board presidents offering Post Audit's services in helping districts find efficiencies. Mr. Frank reported that two districts had volunteered for the efficiency review. *It was the consensus of the 2010 Commission to direct the Legislative Post Audit team to proceed with the efficiency work for districts volunteering doing evaluations of the districts' processes as would have been done under Phase Two of the original efficiency audit* (Attachment 9).

Chairperson Chronister asked Commission members if there were any changes or additions to the minutes of May 28-29, 2009. *Senator Schodorf moved to accept the minutes as approved. The motion was seconded by Dr. Daniels. The motion carried.*

Afternoon Session

Mr. Dennis Stones, Superintendent, Sabetha USD 441, told Commission members that USD 441 is in a farming community in northeast Kansas that has several manufacturing companies. Mr. Stones told Commission members that all four of the district's buildings have met Annual Yearly Progress (AYP) for the last several years. Three schools have met the Standard of Excellence requirements for each year and two schools have met the Standard of Excellence each year as well as being presented with the Governor's Excellence in Education award in 2008. It is believed this is due to the commitment of the board to focus on K-3 reading and math and being able to utilize the increased amounts of money to improve programs and add quality teachers to the staff.

Mr. Stones stressed to Commission members his concerns regarding the district's ability to maintain the high standards of the district and state in light of budget cuts. Mr. Stones told Commission members the district has already cut seven teaching positions, as well as other necessary items. He stated that if deeper cuts would have been made by the Legislature, the district had a plan that would have cut another 20 staff. This would have been devastating to the district and the students.

He told Commission members that it is his belief the state will see a decline in student achievement over the next few years if programs and staff continue to be cut. Staff morale will decline and young and experienced teachers will leave the field because they are either burned out or have lost their jobs. If this happens, they may not return to the profession (Attachment 10).

A question and answer session followed the presentation.

Beth Reust, Superintendent, Plainville USD 270, spoke to Commission members about the issues of education in rural Kansas. Ms. Reust told Commission members that the district contains oil wells. In 2004, the assessed valuation for all funds other than general was \$24,698,724. This year, their assessed valuation for all funds other than general was \$61,293,474. As a result, the district receives only general state aid.

Ms. Reust stated that in the 2005-06 school year, the district had 123 tests in reading and math that were below proficient. At the same time, they had 38 tests that were in the exemplary category. This year they had 32 assessments that were below proficient and 112 in the exemplary category. Much of the change is due to a mandatory summer school program, after school tutoring program, and introduction of computer-aided instruction tied to the State standards and indicators.

Ms. Reust told Commission members that next year she knows the district's enrollment will be down. However, there may be a much greater reduction the following year. To prepare for the budget cuts, the district has reduced the teaching staff by two and the classified staff by two. All were due to retirements or leaving for other jobs, and the district board has chosen not to replace them.

Ms. Reust highlighted issues that will directly impact the district. The funding issues are the most critical as an immediate need. The professional support, educational reform, and early childhood reform are critical to the future success of students and to the future of Kansas (Attachment 11).

A question and answer session followed the presentation.

Marvin Estes, Superintendent, Winfield, USD 465, spoke to Commission members about areas of progress and concerns for his district. Mr. Estes told Commission members the increased funding ordered by the court has allowed his district to:

- Add 19 teaching/tutoring/paraprofessional positions;

- Add a four-year old program that services all four year olds (voluntary - district pays for transportation);
- Add summer school and after school programs;
- Increase in-service and professional development;
- Improve teacher salaries;
- Improve reading and math scores on the state assessments; and
- Improve composite ACT scores above the state average.

Mr. Estes also stressed to Commission members the results of how cuts in state funding have affected that improvement because the district has:

- Cut instructional budgets by 20 percent and the activities budget by 30 percent;
- Cut 19 teacher/support staff/administrative positions;
- Provided no step or movement increases for teachers;
- Consolidated the special education cooperative into the district office facility;
- Cut six activities positions;
- Halted professional development;
- Postponed the start of school by two weeks to save energy;
- Doubled driver's education fees; and
- Cut summer school and after school programs.

Mr. Estes concluded by stating the district staff understand that cuts must be made to education, however, the promises that were made following the court decision has weighed heavily on the education community. The plans that were crushed by the current budget cuts and the ground lost as a result of those cuts is demoralizing to staff, parents, and students. Mr. Estes further stated the community will pull together and will work to turn this situation into a positive. However, what is needed is strong leadership and focus on the important things in education - doing right for the students and community. The long-term effects of this revenue loss may be difficult to predict and overcome if the loss of revenue deepens (Attachment 12).

A question and answer session followed the presentation.

Jill Shackelford, Superintendent, Kansas City, Kansas USD 500, spoke to Commission members of the at-risk students in her school district. Ms. Shackelford told Commission members there are more than 15,000 students who qualify for free or reduced lunch, 83 percent are minority, and 25 percent are English language learners, and, she stressed, the numbers are growing each year. More than 1,000 students were homeless for some part of the year.

Ms. Shackelford stated she always speaks the same motto when she is in the Capitol building "Zip Code Matters!" There is a strong relationship between a student's zip code and the socioeconomic conditions that they bring with them when they enter the school doors. At-risk students cost more to serve. Ms. Shackelford stated it is our moral responsibility to do all we can to give these kids the opportunity to learn so they can grow up and be successful. It is also our legal responsibility to eliminate the relationship between the zip code a student lives in and the quality of their education. She stated the quality of the education these students receive will be the thing that determines their life choices, because they have none of the advantages available to other students. This matters for the students but it also matters for our state because these kids will stay in Kansas, work and raise children in Kansas, and their progress and ability to contribute to our economy will impact all of us.

Ms. Shackelford told Commission members the impact of the cuts in state aid will hurt our ability to continue to raise our academic programs to the same level as other districts. Along with less state funding, the district faces a rise in delinquent property tax payments and a reduction in the assessed valuation of the tax base. Combined, these losses in revenues are creating the perfect storm, which will challenge the district to maintain our progress.

Ms. Shackelford concluded by stating it is our moral responsibility to do all we can to eliminate the relationship between the zip code a student lives in and the quality of their education (Attachment 13).

A question and answer session followed the presentation.

Dr. Tom Trigg, Superintendent, Blue Valley USD 229, told Commission members this has been a very difficult year from a budget perspective for school districts across the state. Dr. Trigg stated the district, during the budget planning process, had to cut over \$4.8 million from the budget which included a total of 58 positions. In addition, \$500,000 was eliminated from the professional development budget and another \$1,200,000 was eliminated in material and supply budgets. He emphasized to Commission members the reduction of 18 district office positions held by teachers will mean far less support in the classroom in the areas of math, science, and school improvement. The reduction in professional development will set the district back considerably in its attempt to grow teacher leaders and strengthen professional learning communities.

Dr. Trigg stressed the importance that education reform and professional support are essential in improving the schools in our state. Dr. Trigg stated at this crucial time, he believes the Commission should be focused on the charge from the Legislature which states "Review the amount of BSAPP and determine if the amount should be adjusted."

Dr. Trigg concluded by commenting on the Commission's recent decision to weigh in on the Special Education Catastrophic Aid situation. Dr. Trigg stated he finds it disturbing that the Commission would recommend changing one aspect of the special education distribution formula without taking into consideration the unfair and disparate impact of the entire formula. Those who understand systems realize that tinkering with one small part of a larger system without considering the impact on the total system often creates imbalance in the system and unintended consequences. Dr. Trigg suggested the Commission consider waiting on this specific recommendation until after the Special Education Funding Task Force, assigned by the Legislature to evaluate the entire special education funding system, completes its work (Attachment 14).

Mark Tallman, Assistant Executive Director/Advocacy, Kansas Association of School Boards, spoke to Commission members regarding school funding and the future of Kansas.

Mr. Tallman stated that despite what critics of public education claim, Kansas educational expectations and outcomes have simply never been higher than today. Education has become the single most critical factor in social and economic well-being.

Mr. Tallman discussed the cost of meeting new educational outcomes. He stated that between 1998 and 2009, school district general fund budgets increased by 41.6 percent. Over 60 percent of that amount was targeted funding for special education, at-risk programs, bilingual education, vocational education, and mandatory transportation costs. Without those increases, "regular" education funding increased less than 1.5 percent per year. To compensate, school districts increased local option budgets by \$673 million. On every measure, Mr. Tallman stated that Kansas academic indicators have improved; where there was targeted additional funding, the improvement was even greater, and on every national comparative measure, Kansas improved faster than the national average (Attachment 15).

A question and answer session followed the presentation.

An e-mail from Richard Kraemer, Board Member of USD 489, Hays, was distributed to Commission members (Attachment 16).

A memorandum from Theresa Kiernan, Senior Assistant Revisor of Statutes, Office of the Revisor of Statutes, regarding High and Medium Density At-Risk Pupils Weightings 2009 House Bill No. 2104, was distributed to Commission members (Attachment 17).

A memorandum from Theresa Kiernan, Senior Assistant Revisor of Statutes, Office of the Revisor of Statutes, regarding Statutory Incentives for School District Consolidation, was distributed to Commission members (Attachment 18).

Chairperson Chronister announced the next meeting for the 2010 Commission will be August 6-7, 2009. The meeting was adjourned at 3:50 p.m.

Prepared by Janet Henning
Edited by Sharon Wenger

Approved by Commission on:

August 7, 2009
(Date)