

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 12:05 p.m. on April 27, 2006, in Room 231-N of the Capitol.

Committee members absent: Senators Apple and Allen – Excused

Committee staff present: Kathie Sparks, Kansas Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Mark Tallman, Kansas Association of School Boards
Val DeFever, Schools for Quality Education
Bill Reardon, Kansas City, Kansas, Public Schools
Diane Gjerstad, Wichita Public Schools

SB 596–Schools; accreditation; student performance standards

Theresa Kiernan, Revisor of Statutes Office, clarified that the bill states that the Board of Education may adopt a system based upon goals that have student performance or student proficiency as a goal. When at school accreditation system is adopted, it still must be one which reflects high academic standards and is measurable.

Mark Tallman, Kansas Association of School Boards (KASB), stated that KASB agrees that increasing academic achievement for all students should be a goal, but it opposes a system which attempts to use a single measure of achievement under rigid guidelines. He went on to share four concerns KASB has about **SB 596**. In conclusion, he noted that KASB supports changes in school accreditation, but it opposes reducing student proficiency requirements to avoid the need for increased funding and higher achievement. (Attachment 1)

Senator Vratil asked Mr. Tallman how a student can be required to achieve proficiency. Mr. Tallman responded, “I don’t think you can require a student to achieve proficiency. All you can do is try to create the conditions that will hopefully lead them in that direction.” Senator Vratil commented that the bill recognizes the fact that you cannot require a student to achieve proficiency. Senator Tallman commented, “I hope it does, and to that extent, we would agree with that. If the intent of this bill is to recognize that we’re not going to guarantee success because we can’t, we agree with that. We just don’t want to substitute the idea that we should stop trying.”

Senator Vratil went on to say, “With respect to your suggestion that the state might lose federal funds if this bill passes, we received information indicating that only one state other than Kansas has student performance standards in their accreditation standards. Why don’t the other 48 states lose their federal funding?” Mr. Tallman said, “My assumption is that there is some other accountability system that they are using that incorporates those standards of AYP. That would be my best guess. I spoke yesterday with people in the state department, and it’s my understanding you don’t have to put No Child Left Behind standards into accreditation, but they have to be somewhere in the law, and you have to have the same accountability for your non-Title I schools as your Title I schools.”

Val DeFever, Schools for Quality Education, expressed her concern about the loss of funding should **SB 596** become law. It was her understanding that Kansas could lose up to \$173 million for Title 1 and other federal education programs. She also expressed her concern that the bill was attempting to empower site councils to a greater degree. In conclusion, she urged the Committee to carefully consider the possible ramifications the bill may have. (Attachment 2)

Bill Reardon, Kansas City, Kansas, Public Schools, testified in opposition to **SB 596**. He commented that many Kansas educators agree that the requirement of 100 percent proficiency is not attainable. However, the bill attempts to resolve this dilemma by removing all state standards, and this approach would throw up a white flag and declare that poor kids, failing kids, and kids with special learning problems are just too difficult to educate at a level consistent with state standards. In addition, he cautioned that the elimination of state standards could result in the potential loss of federal Title I funds, and all federal education title dollars

CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 12:05 p.m. on April 27, 2006, in Room 231-N of the Capitol.

throughout the state could also be in jeopardy. In his opinion, the most prudent approach would be to recommend the issue for an interim study. (Attachment 3)

Diane Gjerstad, Wichita Public Schools, testified in opposition to **SB 596**. She pointed out that, while the federal law clearly requires the state to demonstrate continuous and substantial academic improvement for all students, the bill would prohibit public monies to be expended on a requirement of improvement in student performance. In her opinion, the bill would jeopardize federal title funds because “continuous and substantial academic improvement” is required for the consolidated grant application for federal title funds. In addition, she noted that another complicating factor is the increasing entanglement on the federal level of No Child Left Behind and the federal special education act (IDEA). She contended that changes in school accreditation should not be made without due deliberation with wide input. She suggested that the topic be studied by the LEPC or the 2010 Commission. (Attachment 4)

There being no others wishing to testify, the hearing on **SB 596** was closed.

Several Committee members expressed their opinion that further study would be appropriate before recommending the passage of the bill. Senator Vratil commented, “The purpose of this bill is to reflect reality. Several of the conferees agreed with me that you can’t require a student to achieve at a certain level. That’s what the current accreditation standards for the State of Kansas require. This bill would have the effect of eliminating those mandatory standards and would allow the State Board of Education to express those with goals, which is more realistic.”

Senator Teichman moved to request an interim committee study for **SB 596**, seconded by Senator Pine.

Senator Vratil commented, “I just want to remind the Committee of the Legislative Post Audit study. For those of you who think we are spending too much money on education, keep in mind that it is these student performance standards that are driving that. The Legislative Post Audit study indicated that it would take \$400 million to achieve the performance standards that are in effect today for this year. It will take another \$216 million next year. So, it’s these performance standards that are driving the increased costs of public costs of public education in Kansas. That’s what **SB 596** is all about.” Senator Teichman responded, “Senator Vratil is absolutely correct in what he is saying. I think that’s why we need to understand what it is that we’re doing and not rush to make sure that what we do will pass the test with the federal government and the State Board of Education, and make sure that we do it right the first time and not have to come back and correct it.” Committee discussion followed.

On a call for a vote on Senator Teichman’s motion, the motion carried.

Senator Vratil moved that the Chairman write a letter to the Commissioner of Education asking him to write to the U.S. Department of Education asking what, if any, federal funds would be lost to the State of Kansas if **SB 596** passed and request that a representative from Washington appear before an interim committee to answer questions, seconded by Senator McGinn. The motion carried.

The meeting was adjourned at 1:00 p.m.

There are no further meetings scheduled.