

# Preparing for Education Issues in the 2023 Kansas Legislature



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## Key issues for the 2023 Session

Will the Legislature...

- Fund the cost-of-living adjustment in base state aid per pupil under current law?
- Increase funding for special education, which is currently far below the 92% target in state law, or change the funding system?
- Allow \$50 million high density at-risk funding to expire or change the program?
- Allow school district base aid funding to be used for private school costs?
- Impose new requirements or restrictions on school districts expenditure, operations and budget process?

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## Key issues for the 2023 Session

- For many Legislators, the question is: What are we getting for the money we spend on schools?
- That means debates over funding and educational outcomes are inevitably tied together.
- They have been for decades, and the link has only gotten stronger.

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## Some government...

### Kansas Constitution, Article 6

- Purpose for public education: “intellectual, educational, vocational and scientific improvement.” (Section 1)
- State Board has “general supervision” of schools: accreditation, standards, licensure. (Section 2) Commissioner appointed by Board. (Section 4)
- Local elected boards “maintain develop and operate” public schools. (Section 5)
- Legislature to “make suitable provision for finance of the educational interests of the state.” (Section 6)

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## Some history...

- 2001 – No Child Left Behind Act. Requires testing, moving all students to “proficient” on state tests as defined by each state. Kansas adopts NCLB goals for accreditation.
- 2005 – Kansas *Montoy* school finance decision. System unconstitutional based on disparities in student performance primarily based on test scores.
- 2006 – Legislative Post Audit Cost Study. Finds link between funding and results (test scores); estimates cost of achieving NCLB outcomes and state-required inputs; recommends base and weightings.

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## Some history...

- 2006-09 – Phase-in of *Montoy* funding agreed to by Supreme Court and Legislature; large increase over inflation.
- 2010-2017 – Great recession and income tax cuts reduce state budget and school funding; per pupil funding below inflation for 8 years.
- *Gannon* lawsuit – Multiple rulings; Court finds funding unconstitutional on both equity and adequacy:
  - Failure to maintain equalization funding.
  - Failure to maintain *Montoy* funding or have alternative evidence.
  - 25 percent of Kansas students “below standard” on state tests.

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## Some history...

- 2015 – No Child Left Behind repealed; replaced with Every Student Succeeds Act, more emphasis on postsecondary.
- 2015 – Kansas adopts new state tests, higher “passing standards” (research says among highest in nation).
- 2016 – State Board of Education begins to implement “Kansans Can,” with 5 key outcomes (graduation, postsecondary success, kindergarten readiness, civic engagement, individual plans of study, social-emotional learning) to “lead the world in the success of every student.”

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## Some history...

- 2016-2017 – Legislature uses “block grant” system that essentially freezes funding.
- 2018 – Legislature commissions new cost study (Taylor, WestEd), finds positive relationship between educational outcomes and costs; indicates additional \$2 billion required to get all student to state goals (75% of students at Level 3+, 95% graduation).
- Legislature adopts “Gannon safe harbor plan” to restore base funding to approximate 2009 levels after adjusting for inflation. Court approves after additional “inflation adjustment” added.
- Implicit or explicit commitment by schools to improve results?

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## Some history...

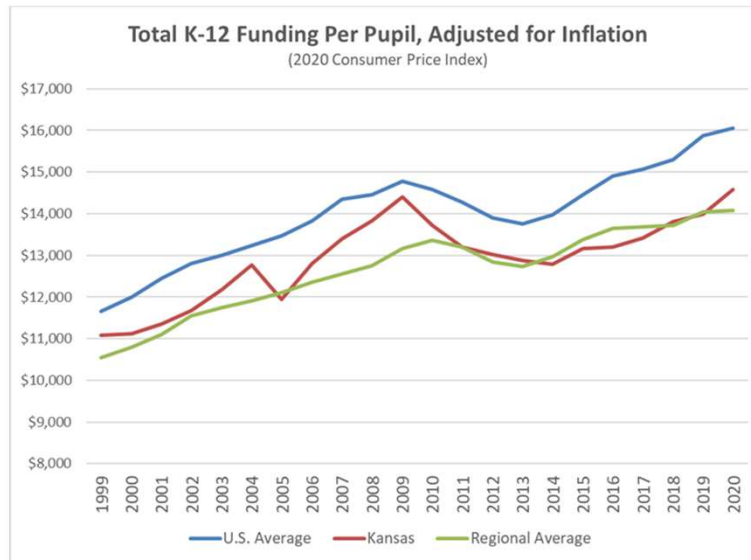
- 2018-2023 – Six-year phase-in of *Gannon* funding; exceeding inflation in first years, likely falling behind in final years as inflation jumps.
- 2020 – In third year of *Gannon* phase-in, COVID pandemic results in closed schools last quarter of 2019-20; disruptions continue through 2020-21.
- Federal government approves three rounds of COVID aid for approximately \$1 billion in aid to Kansas; must be spent by 2024 (not on-going funding).

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## Some history...

- 2021 – KSDE “Kansans Can success tour” –reaffirms support for Kansans Can outcomes.
- 2021 – COVID restrictions, reactions to school efforts again equity, social and emotion learning, and questions of academic learning create high visibility debate over education policy at all levels.
- 2021-22 – Kansas Legislature approval or considers multiple bills on remote learning, budgeting, reading and math, private school aid and public school choice, reporting and “transparency.”

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Kansas K-12 funding per pupil nearly reached U.S. average in 2009 after *Montoy*, moved ahead of region.

Kansas dropped more from 2010-14 than nation or region.

By 2020, both nation and region were well above previous high; Kansas had barely recovered.

This includes ALL revenue, includes KPERS funding not part of *Gannon* plan.

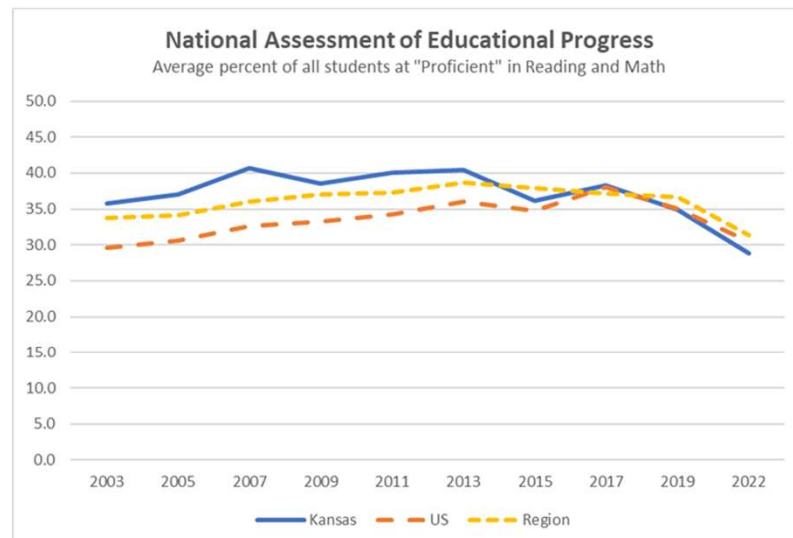
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NAEP tests a sample of students in each state in reading and math at Grades 4 and 8.

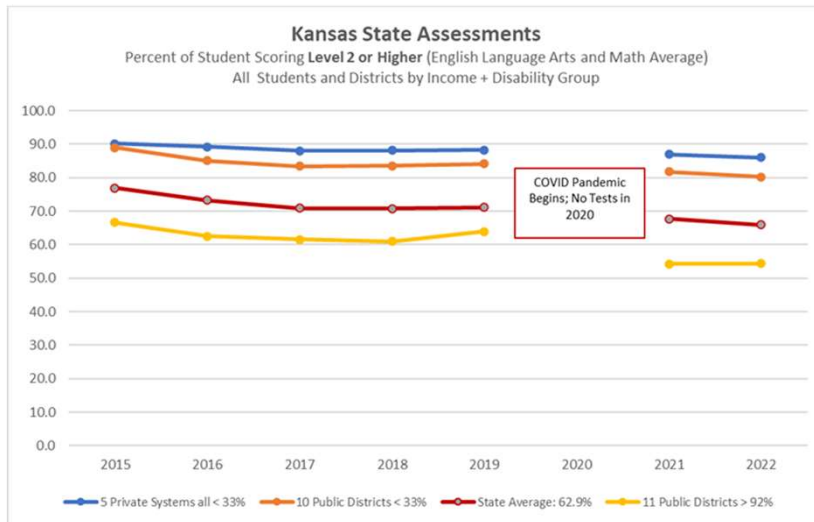
2003-13: Kansas was a top performing state and improving (*Montoy* funding).

2013-2019: Kansas scores declined, fell into about average (KS funding below inflation to 2017).

2019-2021: COVID pandemic, Kansas declines slightly more than U.S. and region.



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Current state assessments began in 2015.

This chart shows state average of students at Levels 2+ (red), private school system (blue), public districts with similar student poverty/income rates (orange) and districts with highest poverty.

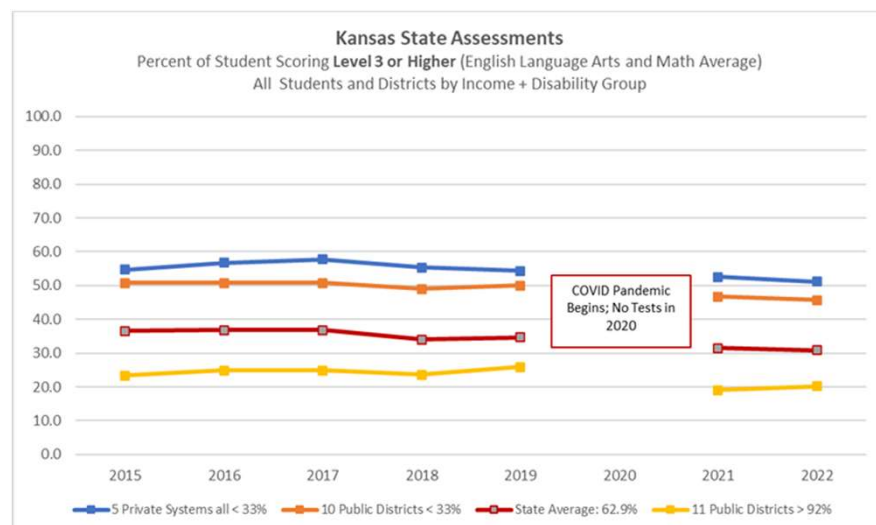
Note each group has declined; low-income public and private systems the least. Highest poverty fell the most from 2019-21, but leveled off in 2022.

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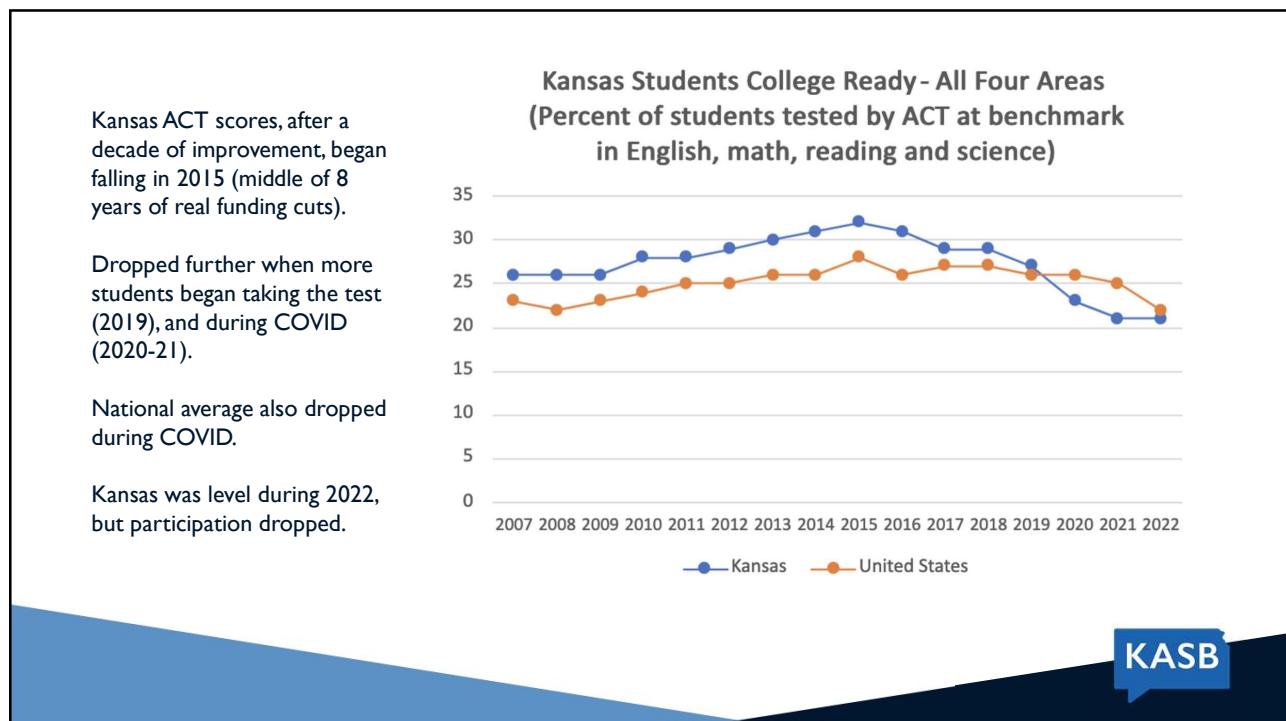
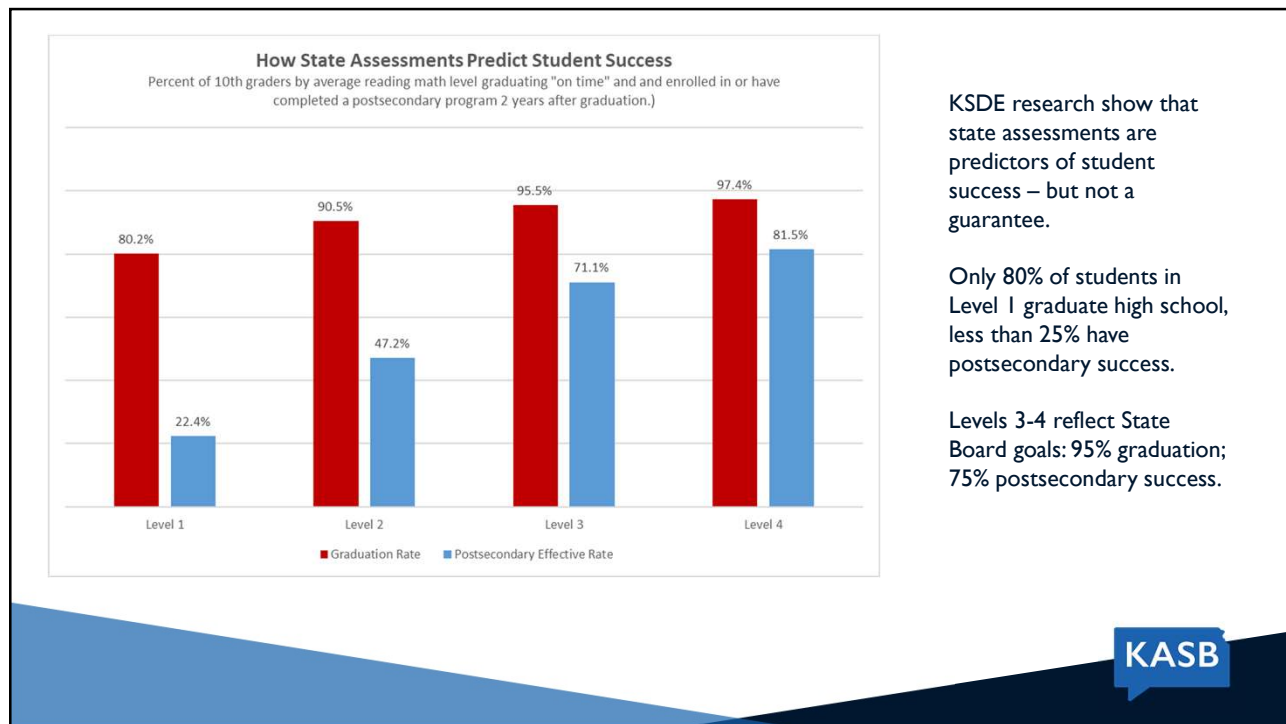
This chart shows the same information for students at Level 3+.

Note similar trends.

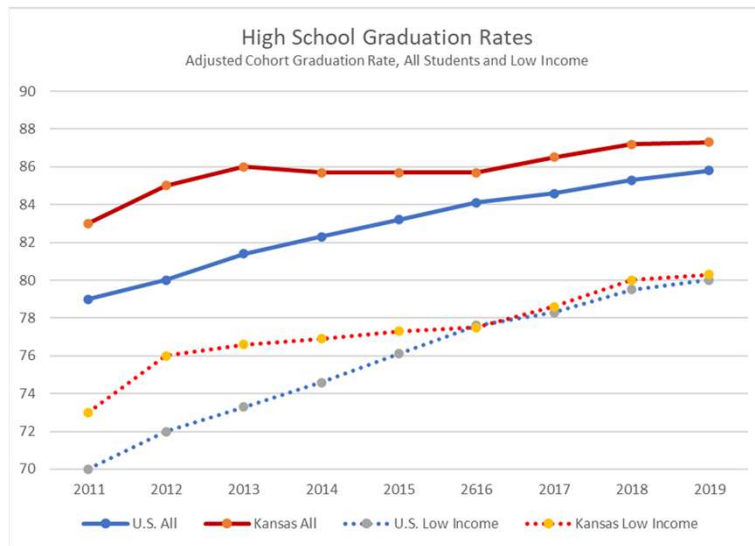
All groups declined between 2019 and 2022, and continued to decline slightly in 2022 – except for the highest poverty/disability public districts.



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Although Kansas graduation rates have been improving, rates stalled from 2013 to 2016 under funding cuts.

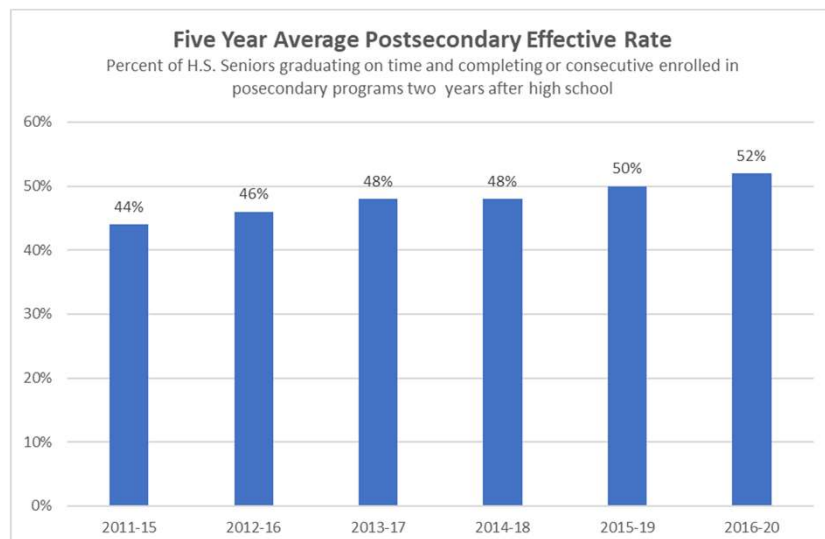
The national average has been catching up and has essentially tied Kansas for low-income students.

This data is pre-COVID. Data since 2019 has not been released (that I could find). It is likely graduation rates fell in many states during COVID.

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As the Kansas graduation rate increased, so has the rate of students completing or remaining enrolled in postsecondary education two years after high school.

Kansas is the only state to use this measure, so national comparison not available.



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## Expected questions, possible answers

**Question:** Since 2015, Kansas state tests, NAEP and ACT results have been declining, and national tests fell more than national average. Doesn't this show the system isn't working and needs serious change?

- Kansas results improved for a decade when per pupil funding was rising more than inflation. Results began to decline after Kansas entered an eight-year period when K-12 funding was cut (compared to inflation). Kansas funding cuts were deeper and lasted longer than the U.S. and regional average.

**Question:** If funding was the problem, how did schools improve graduation rates and postsecondary success?

- Kansas also began to shift the emphasis from test scores only to broader measures of student success. So did many other states, which may explain several national measures leveled off after No Child Left Behind was replaced.

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## Expected questions, possible answers

**Question:** If funding is the issue, why haven't results improved since schools began to receive the *Gannon* increases?

- First, increased *Gannon* funding began in 2018, with six-year phase-in to recover from eight years of underfunding. Results didn't fall immediately after funding dropped and didn't increase immediately.
- Second, after just two years, the COVID pandemic disrupted learning, delaying recovery from the impact of funding cuts.
- Third, districts didn't focus all new resources on test scores, but also tried to address other Kansans Can goals and other needs. For example, the Legislature added funding for school safety, but required schools to match those funds.
- Fourth, districts have had to shift new funding to cover shortfalls in special education services, which have increased with more identified students.

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## Expected questions, possible answers

**Question:** If funding is the issue, why haven't results improved since schools began to receive COVID relief aid through ESSER and other programs?

- Again, it takes time to recover. Even with ESSER funds, districts have limits on how much time staff and students will commit to learning recovery each year. Most districts are spreading their ESSER funds over several years.
- In fact, both pre-COVID and post-COVID, the highest poverty districts in Kansas have shown better improvement than the state as a whole. Kansas NAEP scores for low-income students did not fall as much as non-low-income students from 2019 to 2022. These results may show the impact of receiving relatively more *Gannon* and ESSER funding.
- Other positive signs: ACT score stabilized; postsecondary success continued to rise (although the full impact of COVID has not been factored into the five-year average).

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## What does the public want?

- Commission's tour and other input indicate support for broader Kansans Can outcomes (non-academic skills rank highest).
- National public opinion polls show strongest support for schools teaching "basic" academics, as well as preparation for college, work and life.
- New Kansas Survey from Docking Institute/Fort Hays State show strong support for postsecondary education – a major focus on Kansans Can.
- Suggests Kansans will continue to seek evidence of academic progress at all levels, as well as other measures.

**Question:** Can schools find a balance of emphasis that allows progress on all outcomes, not a trade-off between them?

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## Advice for School Leaders

First, have an honest assessment of student outcomes.

- What does the data say about how well students are being prepared for postsecondary success? Are they satisfactory or improving? If not, what does that say about how well current curriculum, programs and practice are working? What will it take to improve?
- This approach – look at your outcomes, review and revise your process to improve those outcomes, execute that process, evaluate the impact on your outcomes – is the key to the state school district accreditation system.

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## Advice for School Leaders

Second, remember Kansas has a plan for long-term student success. The Kansans Can vision is based on:

- Kindergarten readiness.
- Academic preparation for postsecondary success.
- Student physical and mental health, and school safety.
- Civic engagement to contribute the community.
- Personalized student plans based on career interests.
- High school graduation and postsecondary success to meet economic needs.

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## Advice for School Leaders

Third, continually seek input from all those with an interest in that plan: teachers and staff, parents, students and community. This can be frustrating and time-consuming. But failure to seek input and listen is one of the best ways to create an unhappy crowd in the future.

Fourth, continually communicate all of the above, in plain language, not budget forms and educational jargon. This, too, is hard. It takes more time. It may raise more questions. But “lack of communication” is one of the most consistent criticisms of any organization.

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