

February 7, 2024

The Honorable Kristey Williams, Chairperson  
House Committee on K-12 Education Budget  
300 SW 10th Avenue, Room 546-S  
Topeka, Kansas 66612

Dear Representative Williams:

**SUBJECT:** Fiscal Note for HB 2650 by House Committee on K-12 Education Budget

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2650 is respectfully submitted to your committee.

HB 2650 would require each school district to establish an at-risk student accountability plan. The plan would assist showing academic improvement in certain subgroups and students identified as eligible for at-risk programs. The plans would be submitted to the State Board of Education.

The bill would state that the purpose of the at-risk student accountability report would be to: (1) demonstrate that the school is using evidenced-based instruction for at-risk students; (2) measure longitudinal academic improvement in a quantitative manner; (3) establish quantitative student academic goals in order to have 75.0 percent of all students achieve proficiency by 2030 by scoring a level three or level four on the state assessments for English language arts and mathematics; and (4) ensure that at-risk education funds are expended in accordance with state law by providing services above and beyond regular education services. The bill would outline the requirements of the plans, including the subgroups of students.

Each school district would be required to establish a four-year quantitative academic improvement goal for each chosen student subgroup. Each district would conduct a four-year longitudinal academic evaluation of each student subgroup identified on its accountability plan. If the identified subgroup meets or exceeds the quantitative academic improvement goal established at the end of the four-year period, the school district would repeat the process for another student subgroup. If the subgroup would not meet the goals, the State Board of Education would deem the school district as not meeting at-risk improvement requirements until the subsequent subgroup

meets the goal. The school district would be required to evaluate the longitudinal academic performance of each student subgroup for one additional school year.

If, at the end of the one additional year, the subgroup would meet or exceed the quantitative academic improvement goal, the school district would repeat the process for another student subgroup and conduct a four-year longitudinal academic evaluation of the group. If the subgroup does not meet or exceed the goal, the school district would continue to make efforts for each subgroup in each school year until the subgroup would meet or exceed the goal. The school district would repeat the process for another student subgroup.

The bill would outline changes to the school finance formula if a district would fail to meet or exceed the quantitative academic improvement goals set by the district. The bill would require the Department of Education to reduce state aid associated with the at-risk weighting in the school finance formula according to the formula in the bill.

Each school district would be required to submit an annual report in the form and manner determined by the State Board of Education that would include the school district's at-risk accountability plan to attain student proficiency; an update on the current progress of the district's plan to attain proficiency and an estimation of whether the district expects to meet or exceed the longitudinal academic improvement goals established by the district; the at-risk programs, services and resources and the provisional at-risk educational programs that the district is using to support student achievement; the number of students identified as eligible to receive at-risk or provisional at-risk educational program services; the data and research the district used to determine what programs and services are needed to implement the district's approved at-risk program; and any other information required by the State Board of Education.

Each district would be required to track and report annually the longitudinal performance of students continuously receiving at-risk programs and services in the district's approved at-risk program. This report would include, if applicable, the data regarding state assessment scores, English language arts proficiency results, four-year graduation rates, progress monitoring, norm-referenced test results, criterion-based test results, individualized education program goals, attendance, and average ACT composite scores. The State Board of Education would be required to publish plans and reports through the link on the Department of Education's website labeled "accountability reports." On or before January 31 of each year, the Department would be required to prepare and present a summary of the reports submitted to the House Committee on K-12 Education Budget and Senate Committee on Education.

School district expenditures from a district's At-Risk Education Plan Fund could only be made for the following purposes: (1) at-risk educational programs that are provided above and beyond regular educational services to students who are identified as at-risk; (2) personnel providing educational services with district at-risk programs; (3) support for instructional classroom personnel designed to provide training for evidence-based best practices for at-risk educational programs; and (4) services contracted for the school district to provide applicable at-risk educational programs.

The State Board of Education would be required to provide an online at-risk best practices resource list of at-risk educational programs and services that demonstrate best practices and provide evidence-based instruction of students receiving at-risk program services. These programs must have been or are currently being used by school districts to provide at-risk programs and services to students above and beyond that of a regular education. The State Board of Education would be required to review the at-risk resource list, as necessary. “Evidence Based Instruction” would be defined to mean a method or best practice that has shown or is likely to show that the instruction will produce better student outcomes through four or more years of longitudinal results at a district as evidenced by school district accountability reports.

The bill would require that to be and remain accredited, school districts would need to comply, or be working with the State Board of Education to achieve compliance, with all applicable federal and state statutes, rules, and regulations. Finally, the bill would prohibit the State Board of Education from revising the curriculum standards that are in effect on July 1, 2024, in English language arts and mathematics until 75.0 percent of all students score in performance levels three and four, combined, on the statewide assessments by 2030.

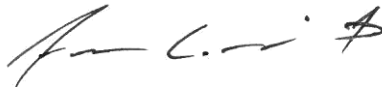
According to the Department of Education, the fiscal effect for enactment of HB 2650 would be associated with potential State Foundation Aid reductions associated with the at-risk weighting, as well as the administrative costs to the Department.

The bill would include a mechanism for a school district to have its State Foundation Aid entitlement reduced if it fails to meet or exceed the quantitative academic improvement goals set by the district. With this provision, state expenditures for State Foundation Aid associated with the at-risk weighting has the potential to be reduced. However, any reduction would depend on the number of districts that would fail to meet or exceed the goals set by the district. The Department indicates the reduction in state aid expenditures cannot be estimated. The Division of the Budget notes that any reduction of expenditures would be from the State General Fund appropriation for State Foundation Aid.

For administrative costs, the Department estimates that it would require an additional appropriation from the State General Fund totaling \$252,314, including 3.00 FTE positions in FY 2025. This estimate includes 1.00 FTE position in the agency’s Administration Program (School Finance) at a cost of \$72,216 for salaries and wages (including fringe benefits), and \$3,500 for other operating expenditures, including computers, rent, office equipment, and supplies. Also included in the estimate is 2.00 FTE positions in the Standards and Assessments Services Program to oversee school district plans, compliance, and the maintenance and updating of the approved at-risk program list. This estimate includes salaries and wages of \$82,958 for 1.00 FTE Coordinator position and \$84,140 for 1.00 FTE Education Program Consultant position. Both estimates include fringe benefits for the positions. For both of these positions, the Department estimates other operating expenditures totaling \$9,500, including rent, office equipment, and supplies. The Department notes that these administrative expenses would be ongoing after FY 2025 and would be similar in cost in future years. Any fiscal effect associated with HB 2650 is not reflected in *The FY 2025 Governor’s Budget Report*.

The Division of the Budget notes that the enactment of the bill likely would increase administrative costs for school districts. However, a fiscal effect for school districts cannot be estimated.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt" with a stylized flourish at the end.

Adam C. Proffitt  
Director of the Budget

cc: Gabrielle Hull, Department of Education  
Angie Stallbaumer, Kansas Association of School Boards