

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 9:00 a.m. On January 26, 2011, in Room 784 of the Docking State Office Building.

All members were present.

Committee staff present:

Sharon Wenger, Kansas Legislative Research Department
Reagan Cussimano, Kansas Legislative Research Department
Eunice C. Peters, Kansas Revisor of Statutes
Norm Furse, Kansas Revisor of Statutes
Jason Long, Kansas Revisor of Statutes
Dale Dennis, Deputy Commissioner, Kansas State Department of Education
Jan Johnston, Committee Assistant

Conferees appearing before the Committee:

Mark Tallman, Kansas Association of School Boards, written testimony
Mark Crawford, Hugoton School District, USD 210, written testimony
Bill Reardon, USD 500, written testimony
Frank Harwood, USD 497, written testimony
Theresa Davidson, Superintendent USD 253, written testimony
Rob Scheib, Assistant Superintendent, USD 253, written testimony
Elton Argo, USD 483, Kismet/Plaines, written testimony
Diane Gjerstad, USD 259, written testimony

Others attending, see attached sheet.

Chairman Aurand welcomed Malissa Martin-Wilke, President, Communities In Schools of Kansas as well as Frank Clepper, Chief Operating Officer, Delta Dental.

Frank Clepper told Committee members how well students are performing academically in our public school system, and how Communities in Schools is uniquely equipped to help both struggling students and struggling schools. A CIS National study shows the CIS Model results in a higher percentage of students reaching proficiency in fourth and eighth grade reading and math, and it also showed that students in high-implementing CIS schools consistently outperform students in the comparison non-CIS school. (Attachment 1)

A question and answer session followed the presentation.

HB 2016 – School districts; finance; bilingual weighting based on program enrollment.

Chairman Aurand opened the hearing on **HB 2016**.

Eunice Peters, Office of the Revisor of Statutes, gave an explanation of the bilingual education weighting in school finance formulas.

Chairman Aurand gave the Committee background explanation of the Bill. The Interim Committee on School Finance looked at a number of post audit recommendations or suggestions or things they have identified over the years that have not gone any where. We thought it would be good to look at some of these recommendations or suggestions.

Scott Frank, Legislative Division of Post Audit, told Committee members to look at the handout of the Cost Study Analysis. The State and federal laws require school districts to provide language-support services to students who are not proficient in English based on the results of standardized language assessment. (Attachment 2)

CONTINUATION SHEET

Minutes of the House Education Committee at 9:00 a.m. On January 26, 2011, in Room 784 of the Docking State Office Building.

Mark Tallman, Associate Executive Director for Advocacy, spoke to the Committee as a Opponent. He told the Committee **HB 2016** would change the bilingual weighting from one based on the full-time equivalent of students in classes with an approved bilingual teacher, to a weighting based on the headcount enrollment of such students. The weighting factor is adjusted so the bill is essentially revenue neutral to the state; however, it will cause substantial shifts in funding among school districts. Essentially, those districts with more students in courses taught by approved teachers would lose. (Attachment 3)

Chairman Aurand suggested due to the numbers of conferees, we would have a question and answer session after all the conferees addressed the Committee.

Mark Crawford, Superintendent, Hugoton USD 210, spoke to the committee as an Opponent regarding **HB 2016**. Many districts have spent significant dollars to train teachers to take college classes and/or special training in order to pass an ESL Praxis examination. English as a Second Language (ESL) teachers must have special preparation to teach English to non-native speakers; being a fluent speaker or an effective teacher of English to native speakers is not enough. The current law for awarding bilingual weighting involves a formula that factors in the amount of student contact time with an ESL endorsed teacher. (Attachment 4)

Bill Reardon, Kansas City, Kansas Public Schools, spoke to the Committee as an Opponent regarding changes in the bilingual weight for students in a class taught by an endorsed ESL teacher from the current .395 to a weight of .2 for the entire day for students receiving any bilingual services. The second concern with **HB 2016** is our standing opposition to changes in the school finance formula which result in winners and losers at a time when school funding is decreasing. (Attachment 5)

Frank Harwood, Chief Operations Officer, Lawrence Public Schools, spoke to the Committee as an Opponent on **HB 2016** that the current funding mechanism is not perfect, it does make sure that funding follows the students based on their instructional program. The current formula allows districts to only count time for funding that the students spend in instruction with an ESL endorsed teacher. (Attachment 6)

M. Theresa Davidson, Interim Superintendent and Robert Scheib, Assistant Superintendent of Business, spoke to the Committee as Opponents regarding **HB 2016**. The demographics makeup of the Emporia community has changed dramatically over the past 15 years. They have invested in the staff development necessary to assure that students in Emporia classrooms receive direct, explicit scientifically research based instruction from every teacher they encounter throughout the day. (Attachment 7)

Elton Argo, Superintendent of Schools, USD 483 Kismet/Plains, spoke to the Committee as an Opponent on **HB 2016** regarding the current formula for funding the necessary additional instruction for successfully meeting the education needs of ESOL students compared to the proposed revisions to the formula contained in **HB 2016**. The current formula provides additional funding when a certified teacher has actual contact time with ESOL students. (Attachment 8)

Diane Gjerstad, Wichita Public Schools, spoke to the committee as an Opponent on **HB 2016**. We appose this bill which would appear to simply “rearrange” school funding by taking target dollars from districts with the largest populations of English language learners in the State. (Attachment 9)

A question and answer session followed the presentations.

Chairman Aurand closed the hearing on **HB 2016**.

HB 2017 – School districts; calculating adjusted enrollment if determined that pupils are ineligible for free meals.

CONTINUATION SHEET

Minutes of the House Education Committee at 9:00 a.m. On January 26, 2011, in Room 784 of the Docking State Office Building.

Chairman Aurand opened the hearing on HB 2017.

Scott Frank, Legislative Post Auditor, gave a background on HB 2017.

A question and answer session followed.

Diane Gjerstad, Wichita Public Schools, spoke to the Committee as an opponent regarding HB 2017. They have several concerns about HB 2017, which stems from a 2006 Legislative Post Audit, and has been considered a number of times. The bill would eliminate at risk funding for the entire year when an audited application is found ineligible under the School Nutrition Program. (Attachment 10)

Bill Reardon, Kansas City, Kansas Public Schools, spoke to the Committee as a Neutral regarding HB 2017. His district supports the current law that links at-risk funding to the number of students deemed to be not eligible for the at-risk weight. (Attachment 11)

Chairman Aurand closed the hearing on HB 2017.

Chairman Aurand informed the Committee to be prepared to work Bills tomorrow previously heard.

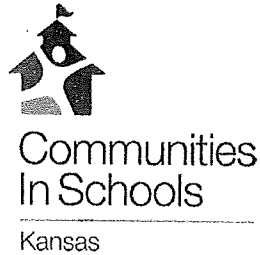
The meeting was adjourned at 10:50 a.m.. The next meeting is scheduled for January 27, 2011.

HOUSE EDUCATION COMMITTEE

GUEST LIST

DATE: 1/26/11

NAME	REPRESENTING
Bill Brady	SFFF
Rob Scherb	USD 253
Theresa Davidson	USD 253
Ardith Dunn	USD 507
Mark Crawford	USD 210
Elton Argo	USD 483
Frank Harwood	USD 497
Rebecca Peronteaux	USD 497
Bob Vancrum	USD 229
Ruby Young	USD 497
Mark Tallman	USD 497
Bill Reardon	USD 500
FRANK CLEPPER	CIS
MARK DESETTI	KNEA



January 26, 2011

Communities In Schools of Kansas

Testimony Before the:

House Committee on Education

By

Malissa Martin-Wilke

President

Communities In Schools of Kansas

And

Frank Clepper

Chief Operating Officer

Delta Dental

The mission of Communities In Schools of Kansas is to surround students with a community of support, empowering them to stay in school and achieve in life.

Mr. Chairman and members of the Committee:

My name is Malissa Martin-Wilke, and I am the President of Communities In Schools of Kansas. Thank you for this opportunity to discuss an issue critical to the future of our state: how well students are performing academically in our public school system, and how Communities In Schools is uniquely equipped to help both struggling students and struggling schools.

House Education Committee

Date 1/26/11

Attachment# 1-1

Founded nationally in 1977, Communities In Schools is 5,000 professionals and 65,000 volunteers on the ground, working in more than 3,200 K-12 public schools, in the most challenged communities, in 26 states, and the District of Columbia, serving nearly 1.4 million young people and their families every year.

Communities In Schools in Kansas was created 15 years ago after the very successful implementation of a local program in Wichita. Today, Communities In Schools of Kansas affiliates operate in Wichita/Sedgwick County; Kansas City, Kansas and Wyandotte County; Ottawa; Grant County; and Rice County; and we're planning implementation of new services in southwest Kansas with the beginning of the next school year. Last year, we served more than 20,000 Kansas kids with some level of service, but our reach is not deep or wide enough to make the impact that our state needs.

In 2009 alone, more than 3,000 Kansas high school students dropped out. Numerous others did not manage to graduate on time in four years. And many who did graduate did not do so prepared for their next step, whether that was a Regents university, a community college or technical school, the workforce, or the military.

Communities In Schools attacks this challenge by employing the highly effective CIS Model, which is essentially this: Through school-based coordination, Communities In Schools connects students, their families, and the school to critical community resources, tailored to local needs. When this model is implemented with high fidelity, it clearly demonstrates it does improve student achievement. In fact, independent evaluations show that CIS is:

1. One of a small number of dropout prevention organizations with scientifically-based evidence of effectiveness,

2. Of these, one of a handful proven to *decrease dropout rates*, and
3. The only organization in the country proven to *increase graduation rates*.

A CIS National study shows the CIS Model results in a *higher percentage of students reaching proficiency in fourth- and eighth-grade reading and math*, and it also showed that students in high-implementing CIS schools consistently outperform students in the comparison non-CIS schools.

Among the latest outcomes for tracked students in Kansas Communities In Schools programs are a 99% stay-in-school rate for students identified as at risk of dropping out of school and a 98% promotion rate for students who had been identified as at risk to not be promoted due to academics. And Communities In Schools accomplishes this at about \$200 per student per year.

Communities In Schools of Kansas is a wonderful example of the value of private/public partnerships, in which individuals and entities from every sector of our society come together to meet the real needs of our young people and our schools.

Now, I'd like to introduce to the Committee Frank Clepper, who will spend a few minutes sharing with you why supporting Communities In Schools is important to him personally and professionally.

Mr. Chairman and members of the Committee:

My name is Frank Clepper. I am the Chief Operating Officer of Delta Dental of Kansas, a retired 22 year veteran of the United States Army, and a Kansas transplant. It is my pleasure to serve on the Board of Communities In Schools of Wichita/Sedgwick County.

Today, the average college graduate earns around \$54,000 a year; in comparison a high school dropout earns slightly more than \$17,000 (US Census). Consider for a moment the financial and social implications of that statistic, for you, a Kansas lawmaker. As each of you confront the struggle to find the tax dollars needed to fund vital state programs, you can see the high school dropout will contribute no tax dollars to the state's coffers. Instead they become, by default, the recipients of many of the social service programs you are challenged to fund.

The high school dropout's contribution to the Kansas workforce is limited. Their framework to acquire fundamental skills and broaden their opportunities routinely stops the minute their formal education stops. Doors across the spectrum of employment remain closed and rare are the opportunities where employers can afford to spend the time training labor-intensive skills even when they have openings. Quite simply, the dropout lacks the workplace, social, and learning skills necessary to gain entry to the hiring system, let alone land a job at Delta Dental or many other Kansas businesses. The long-term ability for the high school dropout to provide for themselves and their family is bleak at best.

In East Wichita High School, in Classroom 222, one student will drop out and another will excel academically. The public education factors in this equation are identical, but the social factors are not. Communities In Schools as an organization and a community partner is uniquely positioned to alter that equation. We can change outcomes, and as Malissa's testimony pointed out, we have a proven track record to justify our confidence in beneficially altering the lives of students that are connected by Communities In Schools to those critical services they need.

My personal involvement with Communities In Schools began in Wichita after I joined Delta Dental – an organization which recognized and supported the program years before my involvement. Personally, in every community in which I have lived, I have sought opportunities to give back in a way that made a tangible difference. To me, tangible is the operative word. I wanted to find an organization that could point to results, not just a mission statement. Like you, I wanted to make sure that my investment would provide a concrete and measurable positive outcome. I was also fortunate that I joined a company that more than extends itself in encouraging its employees – at every level – to find something- an organization, a cause, a family to get involved with – to make our community a better place to live, work, and play. For me Communities In Schools met my expectations and requirements, and I have proudly served on their board for over two years and will continue to serve for as long as they will let me.

Our site coordinators are the critical connector between a student's needs and the resources to answer those needs. We are the resource that can listen to student, teacher, parent, or guardian – often taking a burden from these people – to find a way to change their student for the better. And you know sometimes it's just so simple as to be overwhelming ... whether it's an appointment at the eye clinic for a new prescription and set of glasses (so you can see the blackboard), a backpack with a weekend's worth of food (so you don't fidget or sleep because you're hungry), or an alarm clock (so you get to school on time) ... our coordinators are able to interact at the most basic level to address those little – and sometimes not so little - needs in life that far too often reflect the difference between success or failure in school.

If you took a look at the faces of our kids, you would not see a defining characteristic ... they represent a true cross-section of our communities. Take any single demographic and I can show you a CIS success – or a student that may need CIS help. What distinguishes our organization is that we are there for the day-to-day to hear the nuances, to see the behavior, to intervene and connect our kids with the help they need.

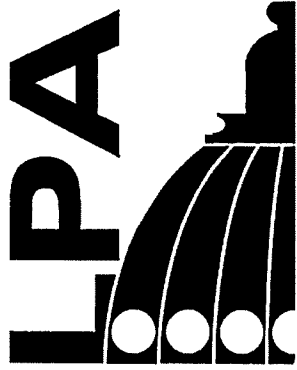
My most rewarding moments are to go to a school and listen to the stories of our site coordinators and the students they serve. To hear our teachers and principals remark on how they value the presence of Communities In Schools, and are amazed at the changes our site coordinators have wrought in children that were on the path to invisibility. In our highly skilled – and becoming even more highly skilled workplace – without a high school education these children will truly be invisible to most hiring managers, whether they are in private industry or in the public domain – as my experience in the Army can attest.

As I mentioned earlier, the purpose of Communities In Schools is critically important. We have a significant number of young people, especially minority students, in our state who are not graduating with their peers. The impact we can make on our state's economy, on the Kansas workforce, and on the lives of these young people is enormous. Communities In Schools is a solution to apply to this problem that we know will produce positive results.

Thank you for this opportunity to address this Committee. All of us who are involved with Communities In Schools of Kansas, whether that's as Board members, donors, staff, or volunteers are eager to see the organization accomplish great things for our Kansas students, schools, and the state. We can do that with continued support from

the public and private sectors. And we deeply appreciate the continued support of our state legislature. I am committed, and I hope you will be as well.

Again, thank you for giving Communities In Schools of Kansas your time today. We would be happy to answer any questions.



COST STUDY ANALYSIS

Elementary and Secondary Education in Kansas: Estimating the Costs of K-12 Education Using Two Approaches

**A Report to the Legislative Post Audit Committee
By the Legislative Division of Post Audit
State of Kansas**

2.2: BILINGUAL PROGRAMS AND SERVICES

State and federal laws require school districts to provide language-support services to students who aren't proficient in English based on the results of a standardized language assessment. Most recently, the No Child Left Behind Act has required states to establish standards and benchmarks for raising English proficiency. Districts may receive both State and federal funds to provide services to students with limited English proficiency, as follows:

State bilingual funding. Districts that operate a State-approved bilingual program (described below) are eligible for State funding for the time students spend with "bilingual-endorsed" teachers.

Federal Title III. Districts are eligible if they can show they have enough bilingual students to qualify for \$10,000 in aid from this federal program. (At the current rate, it would take about 110 students.) To reach that minimum, districts can enter into cooperative agreements with other districts.

Other sources. Districts that receive federal funding for migrant and refugee programs can use some of these moneys for language services. In addition, some districts have received special federal grants for specific programs.

During 2004-05, a total of 81 districts received State bilingual education funding, and estimated that they provided services to 24,524 students. According to the most recent Department of Education data, the most common first language spoken was Spanish, accounting for 82% of the students reported. The next most common languages were Vietnamese and Low German, each of which accounted for about 3% of the students. In all, Kansas districts reported 132 different first languages.

Many names and acronyms are used in referring to these students and the services they receive. For example, students sometimes are referred to as English Language Learners (ELLs) or as being Limited English Proficient (LEP). Services are sometimes called English as a Second Language (ESL) or English for Speakers of Other Languages (ESOL) services. Because the State's program and the participating students historically have been referred to as "bilingual," we are using that term in this report to encompass all these names and acronyms.

BACKGROUND: BILINGUAL PROGRAM REQUIREMENTS

To have a State-approved program and be eligible for State bilingual funding, districts must do the following:

Identify and assess students. Kansas Board of Education procedures require districts to give students a questionnaire to determine what language is spoken in the student's home and what the student's first language is. If the answer to either of these isn't English, the student's English proficiency must be assessed.

Develop a program and implement it. The Department has set curricular standards for bilingual students. These standards are intended to help districts gauge a student's proficiency for listening, speaking, reading, and writing English, and also to provide instructional strategies for teachers.

Have specially trained teachers. Districts receive State bilingual funding only for the time students spend with "ESL-endorsed" teachers, or teachers who are actively working toward an ESL endorsement, or paraprofessionals supervised by these teachers. To become endorsed, teachers must take a series of 5 or 6 university-level courses on issues and methods involved in working with culturally and linguistically diverse students, and must pass an examination. Any teacher can become endorsed, not just those who speak a foreign language.

Measure student progress and assess proficiency. Districts must establish procedures to monitor a student's progress while receiving ESL services. After a student becomes proficient in English, he or she exits the program and is also monitored, generally for two years.

Provide notification to the parents in their native language. To adequately notify non-English speaking parents of school activities, all notices sent home must be in English and in the parent's native language.

BACKGROUND: NUMBER OF STUDENTS FUNDED FOR BILINGUAL PROGRAMS AND SERVICES

Kansas provides funding to districts that meet State requirements for a bilingual program through a separate weight in the State's education finance formula. State funding is paid only for the "contact" hours bilingual students have with an ESL-endorsed teacher or a paraprofessional supervised by an ESL-endorsed teacher. Six contact hours represents one FTE bilingual student.

Under the current formula, for each FTE bilingual student the State pays districts an additional 39.5% of the Base State Aid Per Pupil (BSAPP). For 2005-06, this weight generated an additional \$1,682 in State funding for each FTE bilingual student.

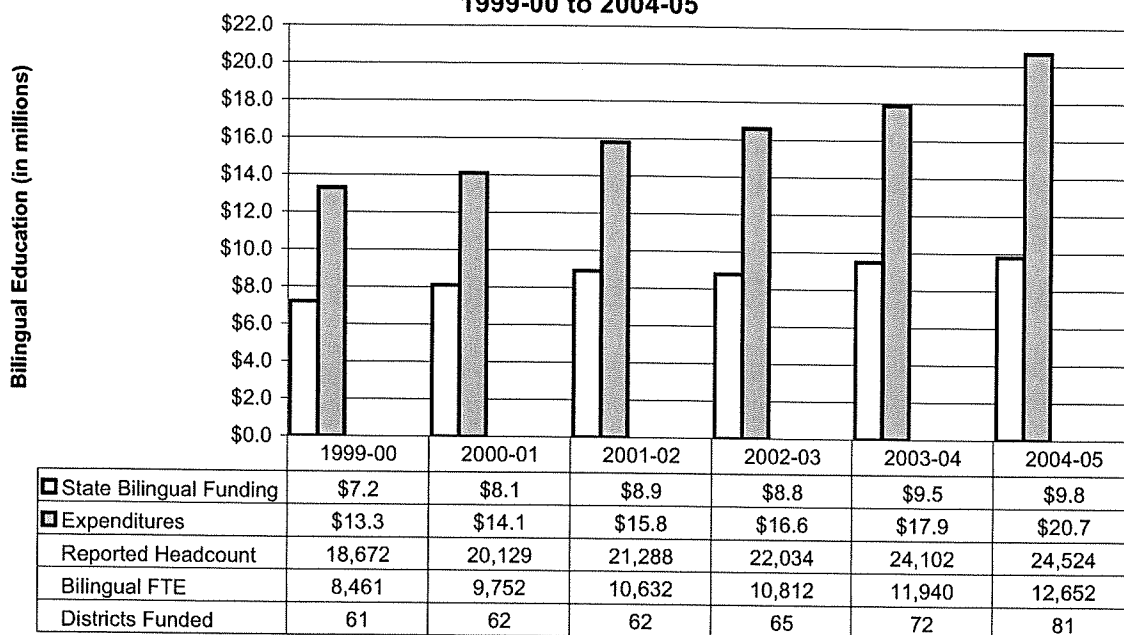
Figure 2.2-1 shows the trend in the amount of State funding provided to cover bilingual program costs, districts' reported expenditures for those programs, and the count of FTE bilingual students. As the figure shows, for the 2004-05 school year the State distributed \$9.8 million in bilingual funding to school districts.

The 2005 Legislature increased the bilingual weight from .20 to .395. Under the revised weight for 2005-06, districts will receive an estimated \$22.5 million, which is more than double the previous year's funding.

BACKGROUND: REPORTED BILINGUAL PROGRAM EXPENDITURES

During the 2004-05 school year, districts spent \$20.7 million from their Bilingual Education Funds, where all expenditures for bilingual students are supposed to be recorded (except for expenditures from federal funds). These reported expenditures are shown on *Figure 2.2-1*.

Figure 2.2-1
State Bilingual Funding and Expenditures (a)
1999-00 to 2004-05



(a) Adjusted for inflation to 2004-05 dollars.

Source: Department of Education data.

RESULTS: COMPARING STUDENTS COUNTED FOR BILINGUAL FUNDING PURPOSES WITH THE STUDENTS WHO ACTUALLY RECEIVED SERVICES

To make these comparisons, and to get a better handle on district services and expenditures for bilingual programs, we selected 10 districts to review in detail. Our sample included districts that reported having a large number of bilingual students, or had high bilingual expenditures in total or per student during 2003-04. These districts, which accounted for 68% of the FTE bilingual students that year, are shown on *Figure 2.2-2*.

We visited 8 of the 10 districts, and obtained and analyzed detailed student count, activity, and expenditure information for all 10 districts. Here are the results of our work:

1. NUMBER OF STUDENTS SERVED

Districts have not reported this number on a uniform, consistent basis. During this cost study, we heard that some districts with small numbers of bilingual students weren't reporting those students to the Department. For the 2003-04 school year, 229 districts reported they had no bilingual students. Although we didn't try to verify this information, the 2000 Census shows that 114 of these 229 districts had households with school-age children

where English wasn't spoken well. These Census data reflect a slightly different time period, but it seems unlikely that none of these 114 districts had any bilingual students.

In addition, the bilingual students that districts do report aren't always reported consistently. Although those numbers can fluctuate from year to year for legitimate reasons, Department officials noted that these figures are self-reported and aren't audited, that pre-kindergarten students sometimes were included and sometimes not, and that definitions changed slightly one year.

2. RELATIONSHIP BETWEEN FUNDING AND SERVICES

Funding bilingual education based on service contact hours doesn't link funding with need. State bilingual funding is distributed based on the number of minutes that bilingual services are provided by "endorsed" teachers or by paraprofessionals who are supervised by such teachers. However, districts are reimbursed for a small portion of the time bilingual students are in the classroom. This information is shown in *Figure 2.2-2*.

Figure 2.2-2
Comparing FTE Bilingual Students to Students Receiving Bilingual Services,
and Showing State Bilingual Funding per Bilingual Student Served
2004-05

District #, Name	State bilingual funding	Bilingual FTE used to calculate bilingual funding	# Students receiving services	State bilingual \$/student served
266 Maize	\$5,408	7.0	104	\$ 52
418 McPherson	\$ 1,159	1.5	15	\$ 77
457 Garden City	\$ 751,740	973.0	2,008	\$ 374
405 Lyons	\$ 41,720	54.0	102	\$ 409
500 Kansas City	\$ 1,362,519	1,763.5	4,063	\$ 335
259 Wichita	\$ 2,258,696	2,923.5	5,342	\$ 423
253 Emporia	\$ 565,157	731.5	1,235	\$ 458
480 Liberal	\$ 640,485	829.0	1,296	\$ 494
443 Dodge City	\$ 1,395,316	1,806.0	2,766	\$504
217 Rolla	\$ 23,951	31.0	37	\$ 647

Source: LPA analysis of data provided by sample districts.

The information presented in this figure raises two issues:

Even though districts are required to provide services to all bilingual students, the current funding formula treats them very unequally. As the figure shows, McPherson received a negligible amount of State bilingual funding, both in total and on a per-student basis, for the 15 bilingual students it served. During 2004-05, the district had one ESL-endorsed teacher, who traveled between elementary schools working with students one-on-one, and who provided one high-school-level class. Although the district incurred additional costs in providing these services, those services resulted in very few "countable" minutes for funding purposes.

In contrast, Rolla, with 38 bilingual students, received the highest level of State funding per student of any of the districts in our sample. Many of Rolla's teachers had an ESL endorsement during 2004-05. Here's an example of why that matters: an elementary teacher with an ESL endorsement who has one bilingual student in class all day generates bilingual funding nearly every minute of every day. The student is likely receiving what is called "modified instruction," which means the teacher is adapting instruction in some way to make the content more comprehensible.

Even though these districts have the same responsibility for educating their bilingual students, the State provides them with very different resources for doing so.

Districts may not get funded for all the bilingual services they provide. Paraprofessionals provide services to many bilingual students—in some cases a paraprofessional may be the only person who speaks the student's first language. However, districts may not be able to claim funding for all services paraprofessionals provide. For example, officials from Lyons said that, although paraprofessionals provide services to students in the high school and in pre-kindergarten, they couldn't claim funding for their services because they didn't have endorsed teachers at those levels to supervise the paraprofessionals.

In addition, some districts have an influx of students—particularly migrant students—after the official student count date for funding. Migrant students and their families move to or from an area based on the availability of work. For example, Liberal officials told us that 83 bilingual students enrolled after the September 20 count date. They were required to serve those students, but received no funding for them.

Neighboring states fund bilingual services based on headcount, not on service time provided. Oklahoma, Colorado, Missouri, Nebraska, and Iowa all base bilingual funding on headcount enrollments for bilingual students, not on the time they spend with an endorsed teacher. These states generally calculated bilingual aid by multiplying headcount by a weighting factor, and then by a base-level of state aid. (The bilingual weighting generated by our outcomes-based approach also uses headcounts of students, not contact hours.) Iowa and Colorado limit state funding to three and two years, respectively.

OTHER RESULTS: SERVICES AND EXPENDITURES

3. VARIATIONS IN BILINGUAL SERVICES PROVIDED

Districts use a wide variety of methods to provide English language services. This variation is summarized in *Figure 2.2-3*. The types of bilingual services provided depend on the number of bilingual students, how proficient they are in English, the number of endorsed teachers or paraprofessionals, and the overall financial resources available.

Figure 2.2-3 Methods for Delivering Bilingual Services 2004-05										
	Dodge City	Emporia	Garden City	Kansas City	Liberal	Lyons	McPherson	Maize	Rolla	Wichita
Number of Bilingual Students Served	2,766	1,235	2,008	4,063	1,296	102	15	104	37	5,342
Bilingual Students served as a % of district enrollment	46%	25%	26%	20%	28%	11%	1%	2%	16%	11%
Pull-Out: The bilingual student is pulled out of a regular education class to receive instruction from a qualified teacher (an ESL-endorsed teacher or a paraprofessional assisting an ESL-endorsed teacher).	X		X	X	X	X	X	X	X	X
Push-in: An ESL-endorsed teacher comes into the regular classroom to give language assistance to the bilingual student		X	X			X				X
Modified Instruction: A regular education teacher who has an ESL endorsement "modifies" instruction so that the academic content is comprehensible.	X	X	X	X		X			X	X
Sheltered Instruction: The class is comprised solely of bilingual students and the academic subject matter is provided through "sheltered" or adapted instruction to teach both English and the academic content material.	X	X	X	X		X				X
ESL Class Period: Used in the secondary school setting, students receive ESL instruction during a regular class period and receive course credit.	X	X	X	X	X	X	X	X	X	X
Paraprofessional Support: An aide (preferably one who speaks the child's first language) provides instruction to the student in the classroom, and may provide individual language lessons outside the classroom.	X	X	X	X	X	X		X		X
Bilingual: All the students speak the same first language, and instruction is provided in their native language, with the gradual introduction of English. Dual Language: Both native English and non-English speaking students are in the same class. Half the instruction is in English and half in the non-English language.	X	X	X							X
Source: LPA survey of school districts.										

For example, because McPherson has 15 bilingual students scattered throughout grade levels and different buildings, it provides many of its students with one-on-one assistance with an endorsed teacher for approximately one hour per week. By contrast, in Dodge City, where 46% of students were classified as bilingual in 2004-05, many students participate in sheltered instruction—classes comprised solely of bilingual students where the presentation of the subject matter is adapted to teach both English and academic content material.

4. **EXPENDITURES FOR BILINGUAL PROGRAMS**

In providing bilingual services, our sample districts spent much more than they received in State bilingual aid. State law requires that all expenditures for bilingual services, regardless of funding source, be recorded in the Bilingual Education Fund. The only exception is spending from federal funds, which usually is reported separately (although Emporia and Kansas City both reported federal fund expenditures in their Bilingual Education Funds). We found that districts don't report their bilingual spending consistently, which makes it difficult to compare expenditures per student.

We asked our sample districts to report all expenditures they made to provide bilingual services, regardless of funding source. We reviewed those expenditures at a high level to ensure they were reasonably related to providing bilingual services, and represented direct costs to the programs. We removed indirect costs (such as allocations of administrative salaries or utilities) when we were able to identify them. We did not review detailed expenditure documentation.

As **Figure 2.2-4** shows, our sample districts reported spending more on bilingual services than they received in State bilingual funding. In general, they told us they used General Fund or federal moneys to pay for their programs. Most often the additional moneys districts reported spending were federal funds, such as Title III, which must be spent to provide services to bilingual students.

Most of the bilingual expenditures our sample districts reported were for salaries and benefits. Across the State, all districts with bilingual programs reported that 94% of expenditures were for salaries and benefits. For the 10 districts in our sample it was 89%. Non-salary expenses were generally for tuition and professional development for staff, classroom books/supplies for students, and computers.

Most of our sample districts said they would spend the additional bilingual funding they received in 2005-06 to hire more staff. State bilingual funding more than doubled, from \$9.8 million in 2004-05 to \$22.5 million, for the 2005-06 school year as a result of actions by the Legislature during the 2005 special legislative session.

Figure 2.2-4 Expenditures for Bilingual Services 2004-05					
District #, Name	State Bilingual Funding	Total Reported Expenditures	State Bilingual Funding as % of Total Expenditures	Reported Expenditures	
				Expenditures from Bilingual Fund	Expenditures from other funds
418 McPherson	\$1,159	\$57,256	2%	\$52,673	\$4,583
266 Maize	\$5,408	\$99,567	5%	\$98,840	\$727
217 Rolla	\$23,951	\$81,527	29%	\$80,117	\$1,410
405 Lyons	\$41,720	\$189,245	22%	\$189,245	\$0
253 Emporia	\$565,157	\$1,342,662	42%	\$1,318,548	\$24,114
480 Liberal	\$640,485	\$1,044,172	61%	\$920,674	\$123,498
457 Garden City	\$751,740	\$1,179,685	64%	\$1,029,029	\$150,656
500 Kansas City	\$1,362,519	\$1,949,350	70%	\$1,949,350	\$0
443 Dodge City	\$1,395,316	\$1,669,654	84%	\$1,394,929	\$274,725
259 Wichita	\$2,258,696	\$6,121,075	37%	\$5,548,168	\$572,907
Totals	\$7,046,151	\$13,734,193	51%	\$12,581,573	\$1,152,620
Source: LPA analysis of data provided by sample districts.					

Figure 2.2-5 shows that some districts plan to hire more staff—including teachers, para-professionals, and translators—to work with bilingual students. Two districts with small programs, Maize and Rolla, said they would use the additional money to reduce the amount they currently draw from their General Funds.

Figure 2.2-5 How Districts Plan To Spend Additional Bilingual Funding						
District #, Name	Hire More Staff	Rely Less on Other Funds	Staff Training	Salary Increases	Text Books & Supplies	New Programs
418 McPherson				X		
266 Maize		X				
217 Rolla		X				
405 Lyons	X				X	
253 Emporia	X			X		
480 Liberal						Initiate: Dual language program, sheltered instruction & immersion class. Adopt bilingual curriculum in middle schools
457 Garden City	X	X				Expand summer school; more tutoring before and during school; after-school program at all grade levels
500 Kansas City	X		X			
443 Dodge City	X				X	
259 Wichita	X		X			New intake center; expand programs in neighborhood schools
Total	6	3	2	2	2	3
Source: LPA survey of the school districts						



Testimony before the
House Education Committee
on
Testimony on **HB 2016** – Bilingual Weighting

by
Mark Tallman, Associate Executive Director for Advocacy
Kansas Association of School Boards

January 26, 2011

Mr. Chairman, Members of the Committee:

HB 2016 would change the bilingual weighting from one based on the full-time-equivalent of students in classes with an approved bi-lingual teacher, to a weighting based on the headcount enrollment of such students. The weighting factor is adjusted so the bill is essentially revenue neutral to the state; however, it will cause substantial shifts in funding among school districts. Essentially, those districts with more students in courses taught by approved teachers would lose.

KASB members have not adopted a position on whether the FTE or headcount basis is the best method. However, there has been no effort within our association to support any change in the law. As we testified on a previous bill, our members do have a long-standing position that supports ways to phase-out reductions in district funding whenever possible.

HB 2016 would “change the rules in the middle of the game,” effectively penalizing districts that have made the effort to comply with current state policy and get teachers trained in bilingual education. There is certainly evidence that the current system is working because test scores for English Language Learners have increased. It should also be noted that under No Child Left Behind, there are limits on how long a student can be in a bilingual program before they must be tested in English.

We also recognize districts must provide services to bilingual students, whether or not they have approved teachers and receive funding under the current weighting system. We suggest this would indicate the need to add funding for districts on a headcount basis without reducing funding districts now receive on an FTE basis – especially at a time when all districts have lost base funding per pupil and will continue to do so under the Governor’s budget proposals. (A reduction the base budget per pupil automatically reduces the value of each weighting factor, which is a multiple of the base.) At a minimum, we suggest any change in the weighting system be phased-in over time.

Thank you for your consideration. I would be happy to respond to any

House Education Committee
Date 1/26/11
Attachment 3



HUGOTON USD #210

205 E. 6th / Hugoton, KS 67951 / Telephone 620-544-4397
Fax 620-544-7138

House Committee on Education

Testimony of HB 2016

January 26, 2011

Presented by Mark Crawford, Superintendent, Hugoton USD 210

My name is Mark Crawford and I am superintendent of schools at Hugoton Public Schools, USD 210. The Hugoton school district is a rural district located in southwest Kansas. It consists of four schools as well as a charter school for grades 7-12. Our district boundaries include a 575 square mile area. We have a total headcount of 1,110 students. Our high school is considered to be 4A for the purpose of athletics and activities. The demographics of our schools consist of white, Hispanic and German Mennonite. We are 65% white and 45% Hispanic. At USD 210 we have 316 students who qualify for bi-lingual state funding.

Thank you for this opportunity to appear before you today and speak about HB 2016. Providing a free and appropriate public education to all students is a task I take very seriously. I know the fiscal challenges of approving a balanced budget this legislative session is a monumental task. I would like to speak specifically about English as a second language or ESL students and the bi-lingual funding process currently in place.

Bi-lingual Weighting Formula

Many districts have spent significant dollars to train teachers to take college classes and/or special training in order to pass an ESL Praxis examination. English as a Second Language (ESL) teachers must have special preparation to teach English to non-native speakers; being a fluent speaker or an effective teacher of English to native speakers is not enough. Just as teaching mathematics or French requires special knowledge and skills, teaching English as a Second Language does also. USD 210 feels strongly this training and endorsement is very important.

The current law for awarding bi-lingual weighting involves a formula that factors in the amount of student contact time with an ESL endorsed teacher. It is my understanding HB 2016 would take this formula away and simply utilize a head count of ESL students with no regard for specialized instruction.

USD 210 Effective ESL Instruction Plan and Budget

At Hugoton schools, we try to hire teachers who have their ESL endorsement or teacher candidates that are willing to take the coursework. For those teachers who have taken the coursework and have the ESL endorsement, we pay them a \$750 annual stipend. The course work and four days of training from our local service center is a total cost of \$630 per teacher. The cost of the test is \$130. Teachers who have passed the test are reimbursed the cost of the test. Our weighted funding for ESL this school year with 44 ESL endorsed instructors generated \$274,020. USD 210 has a total of 91 cer

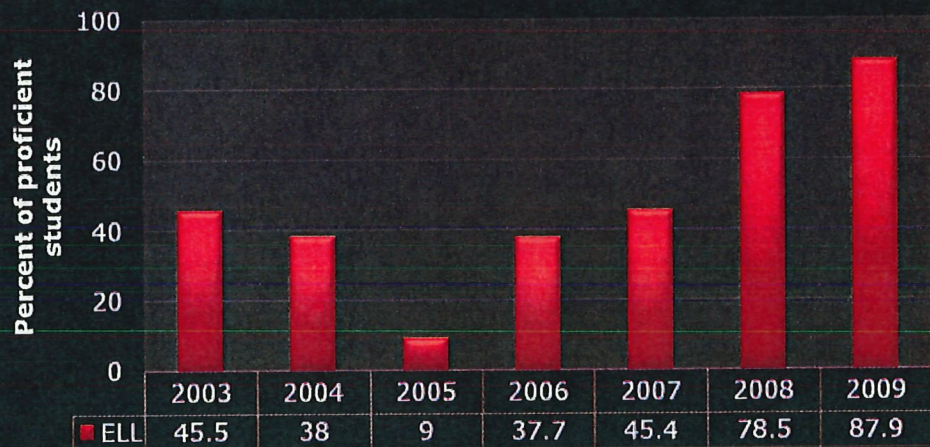
House Education Committee
Date 1/26/11
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Last school year, over 90% of our ESL funding was spent paying the salaries of ESL teachers and teacher aides. All those teachers and aides that have contact with ESL students have to fill out logs for accounting purposes. Without this funding, we would not have the budget authority to hire and fund the current number of staff (certified teachers and hourly employees).

I respectfully request that you leave the current funding system as it is. This process has a basis in providing necessary services to the students who are most in need. Please review the following pages of state assessment data as proof that districts like Hugoton are using this funding to indeed impact student achievement. We have closed student achievement gaps and we strive to prepare students for college and career with a strong foundation in reading and math. Without proper funding, these types of gains would not be possible.

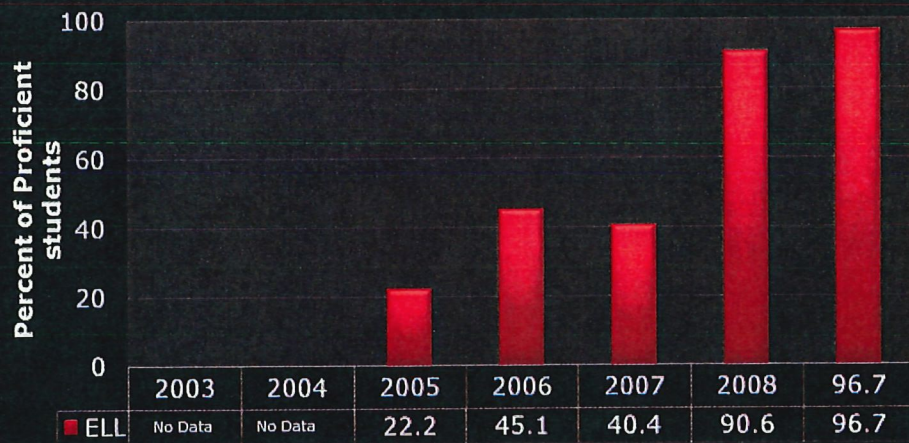
Student Readers in ELL District wide

Hugoton District Reading by ELL



Elementary Student Readers in ELL

Hugoton Elementary School Reading by ELL



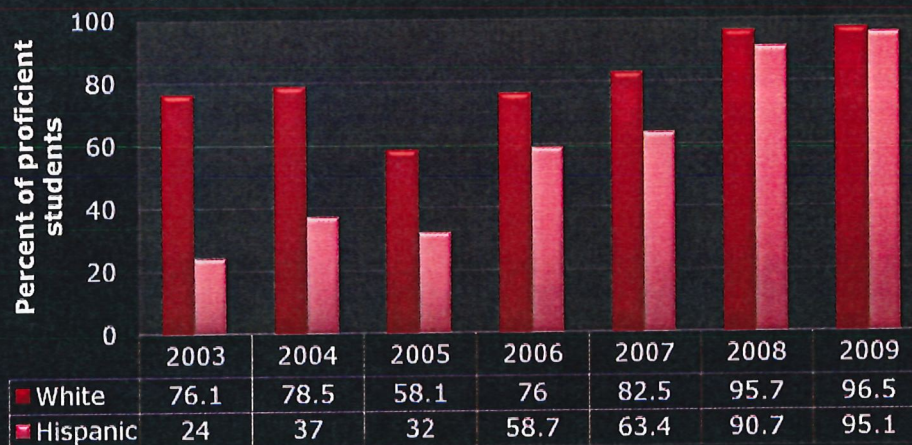
Reading Ethnicity District Wide

Hugoton District Reading by Race



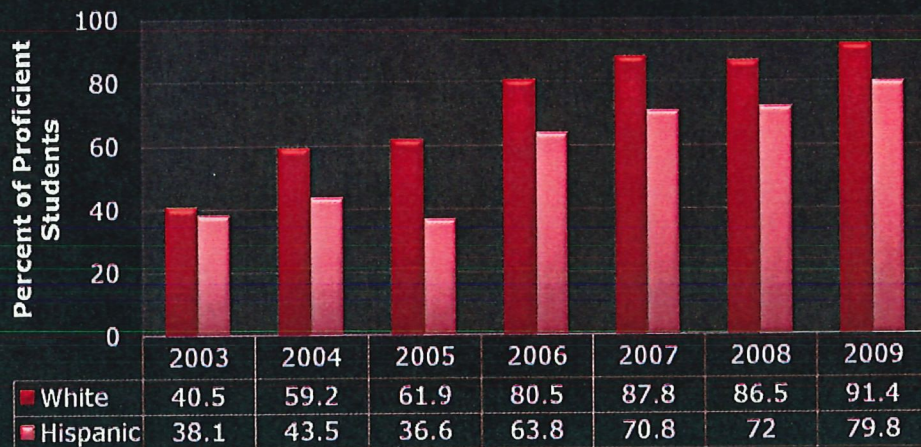
Elementary Reading Ethnicity

Hugoton Elementary School Reading by Race



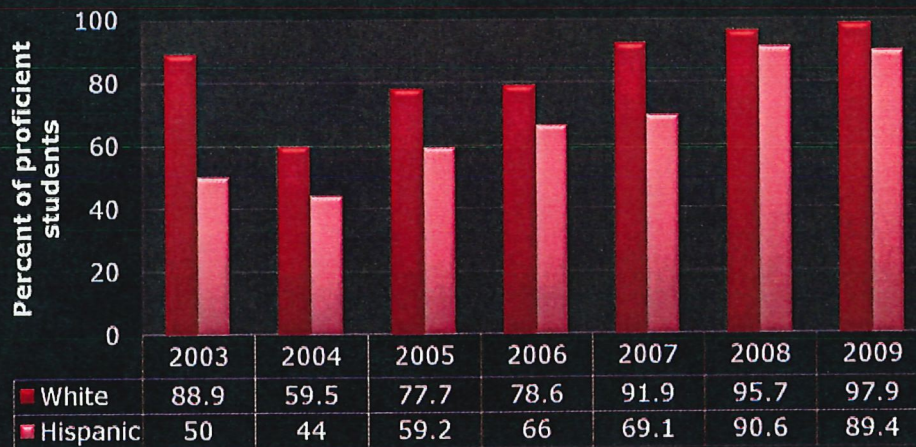
District Math by Ethnicity

Math by Race



Elementary Math Students by Ethnicity

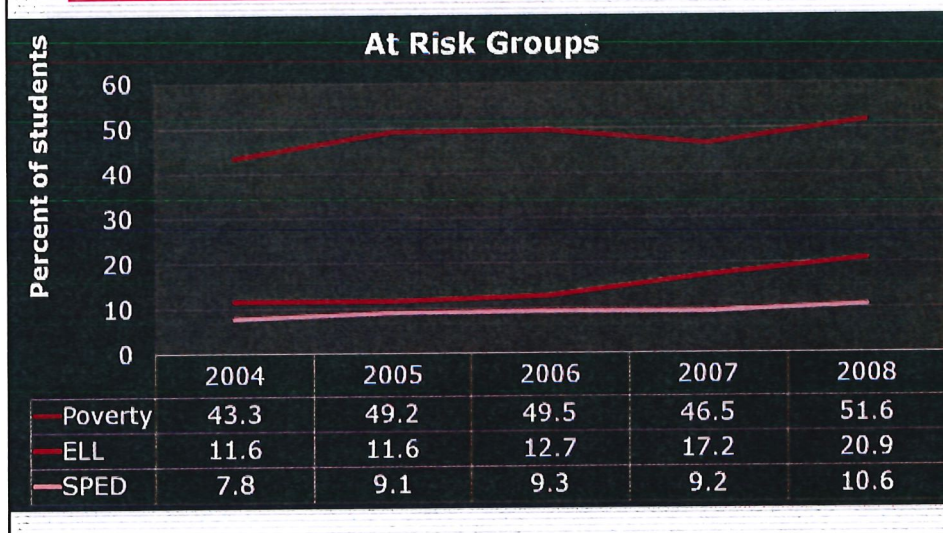
Hugoton Elementary School Math by Race



USD 210 Ethnic Changes



USD 210 Changing Demographics





Kansas City, Kansas Public Schools

Unified School District No. 500

HOUSE EDUCATION COMMITTEE HB 2016 January 26, 2011

Mr. Chairman, Members of the Committee:

The Kansas City Public Schools appreciates the opportunity to testify in Opposition to HB 2016. Our opposition is based on two key provisions in the bill.

First, HB 2016 changes the bilingual weight for students in a class taught by an endorsed ESL teacher from the current .395 to a weight of .2 for the entire day for students receiving any bilingual services. The result of this change is illustrated in the Department of Education printout. Districts whose bilingual students require services for most, or all of the school day, will lose funding. Districts whose bilingual students require services only one or two hours per day will receive additional funding. We believe this change is counterintuitive to the purpose of the bilingual weight. We believe that the intent of the law is to provide the necessary funds to ensure suitable education to students whose English language skills are not proficient.

Our second concern with HB 2016 is our standing opposition to changes in the school finance formula which result in winners and losers at a time when school funding is decreasing. The Kansas City District supports the provision contained in HB 2018 which delays implementation of the bill's contents until funding per child reaches \$4,492. We believe this provision should also be included in HB 2016.

For these reasons, USD 500 respectfully requests the House Education Committee to reject HB 2016.

Bill Reardon, KCKPS Lobbyist

January 24, 2011

House Standing Committee on Education

Re: Changes to Bilingual Funding Formula

Frank Harwood, Chief Operations Officer – Lawrence Public Schools

Rebecca Perontaux, Curriculum Specialist, ESL and MTSS – Lawrence Public Schools

Kimberly Young, Curriculum Specialist, English/Language Arts and Reading – Lawrence Public Schools

Over the last several years Lawrence Public Schools has worked to develop and enhance an effective educational program for English Language Learners. Although the current funding mechanism is not perfect, it does make sure that funding follows the students based on their instructional program. The current formula allows districts to only count time for funding that the students spend in instruction with an ESL endorsed teacher. By using this funding method districts are encouraged to make sure students are being taught by teachers who are specially trained to meet their educational needs. Lawrence Public Schools has worked with the Lawrence Education Association and faculty from both the University of Kansas and Kansas State University to develop our program. This has required considerable effort and commitment from our teaching staff required to obtain the proper training and endorsement. It has also required our district to pay for this training for our elementary teachers.

A recent study conducted by Kansas State University found that ESL students who are taught by teachers endorsed in ESL do perform better. Lawrence Public Schools is an example of this in action. Although our ESL population has continued to grow and become increasingly diverse, we continue to see growth in elementary ESL student achievement on the Kansas State Assessments. We believe our ESL students continue to meet Adequate Yearly Progress benchmarks because we are committed to having them taught by an ESL endorsed teacher. The current funding formula is part of the reason this is possible.

Based on information from our own records and those of KSDE, Lawrence Public Schools will lose approximately \$60,000 in bilingual funding based on the proposed change to the formula. We stand to lose funding because the new formula does not take into account the amount of service or intensity of instruction a student receives only that the student is enrolled. Based on the information from KSDE, districts will now be eligible for funding for students that are not even receiving services. If the legislature is concerned with funding programs that are making a

House Education Committee
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Attachment 6-1

difference in student achievement, this change to the bilingual funding formula is a step in the wrong direction. This change in the funding formula would not result in a great increase in school funding. Based on the information from KSDE, the net change state wide would be an increase of \$6,147; however, one district stands to gain \$973,000 while another could lose \$895,103. As you can see, in the scheme of winners and losers with this bill, Lawrence while losing 10% of our bilingual funding is by no means in the worst shape. The real losers with this change are the students that need ESL services and effective classroom instruction. No longer will districts have any funding incentive to provide effective programs that are designed to support these students by making sure they have teachers who are specially trained to address their educational needs. Districts will receive funding merely because an ESL student has enrolled in the district. The legislature and the public continue to call for increased accountability for public education. It certainly seems counter-intuitive to change a provision in the current funding formula that requires districts to be accountable for program practices related to direct instruction of students to a provision that removes any incentive to provide effective quality educational programming to English Language Learners. We urge you to retain the current bilingual funding formula.

Emporia Public Schools

Emporia, KS 66801
www.usd253.org

Mary Herbert
Education Center
1700 W. 7th Avenue
PO Box 1008
Telephone 620-341-2200
Fax 620-341-2205

Flint Hills Special
Education Cooperative
1700 W. 7th Avenue
Telephone 620-341-2325

Emporia High School
3302 W. 18th Avenue
Telephone 620-341-2365

Emporia Middle School
2300 Graphic Arts Road
Telephone 620-341-2335

Flint Hills Learning Center
1624 Industrial Road
Telephone 620-341-2251

Maynard Early Childhood
Center
19 Constitution Street
Telephone 620-341-2260

Logan Avenue Elementary
521 S. East Street
Telephone 620-341-2264

Lowther North
Intermediate School
216 W. 6th Avenue
Telephone 620-341-2350

Lowther South
Intermediate School
215 W. 6th Avenue
Telephone 620-341-2400

Riverside Elementary
327 S. West Street
Telephone 620-341-2276

Timmerman Elementary
2901 Timmerman Drive
Telephone 620-341-2270

Turning Point Learning Center
315 S. Market Street
Telephone 620-341-2255

Village Elementary
2302 W. 15th Avenue
Telephone 620-341-2282

Walnut Elementary
801 Grove Avenue
Telephone 620-341-2288

William Allen White
Elementary
902 Exchange Street
Telephone 620-341-2294

26 January 2011

The Honorable Clay Aurand
House Standing Committee on Education

9:00AM 784 DSOB

Re: Opposition to House Bill #2016

Mr. Chairman and Members of the Committee:

Thank you for this opportunity to testify in opposition to House Bill #2016 –
School districts; finance; bilingual weighting based on program enrollment.

Education is important to the people of our community! We are home to Emporia State University and Flint Hills Technical College. Emporia has always been committed to assuring that all students have opportunities to achieve success.

The demographic makeup of the Emporia community has changed dramatically over the past 15 years (as noted in Chart 1). This year, 33% of our incoming kindergarteners require bilingual assistance. Overall, in 2009-2010, 1,548 or 33% of our students received bilingual support each day throughout the district (Chart 2). According to Dr. Harry Pachon of the Tomas Rivera Policy Institute, “when a child previously classified as ELL starts middle school academically underprepared and English-deficient, he or she is very likely to drop out.” We KNOW that we must intervene early to short-circuit this pattern of low-achievement which ultimately results in student dropouts.

Therefore we have invested in the staff development necessary to assure that students in Emporia classrooms receive direct, explicit, scientifically research-based instruction from every teacher they encounter throughout the day. Through partnerships with Emporia State University and Kansas State University, we provide classroom teacher training in second-language instructional approaches, develop cultural proficiency, and assure accurate assessment skills for every new teacher every year! (Chart 3) Without a doubt, the transfer of that specialized training into the classroom has made a difference for all students but especially for our English Language Learners. Our data demonstrates that the steps taken in Emporia to develop highly qualified teachers has worked! Roughly half of the district’s professional staff has earned full ESL endorsement (Chart 4).

The Emporia Public Schools has worked within the law as it currently exists to produce results (Chart 5). We have been able to accomplish these significant results by taking advantage of the resources provided through bilingual clock hours (Chart #6).

Our professional compensation package recognizes teachers for the instructional value of their ESOL endorsement offering financial support for coursework and incentives for completing endorsement.

House Education Committee
Date 1/26/11
Attachment 7-1

Our staffing pattern supports a continuum of services that meets each student where they are in language development from non-English speaking to consultant services for those students who are prepared to exit formal support programs.

Most important - It has worked for students! We have created a system for diagnosing needs for second language learners, strategically prescribing intervention within the primary classroom and successfully supported a continuum of services with appropriately licensed and highly qualified professional staff. As a consequence, our students experience effective classroom instruction.

HB 2016 will negatively impact the momentum generated from our success. As stated the Emporia Public Schools has worked within the law as it currently exists to produce results. This bill which changes the mechanism for determining bilingual aid from bilingual clock hours to headcount creates winners and losers and will result in a loss of nearly one half-million dollars to the Emporia Public School district. If enacted into law, this bill will force us to make decisions that compromise the structure and support we have been able to build...a loss for Emporia students.

Thank you for your attention to this very important issue.

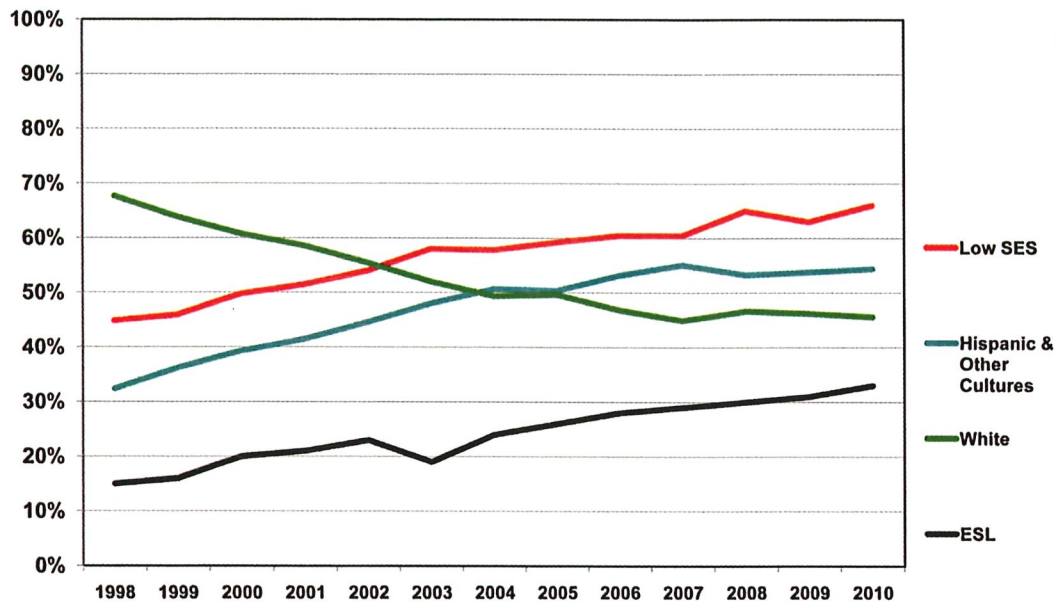
Respectfully,

M. Theresa Davidson
Interim Superintendent

Robert Scheib
Assistant Superintendent of Business

Chart 1

Student Demographics



Emporia
Public Schools

Chart 2

Emporia USD 253 ELL and Total Populations Comparisons 2003 to 2010

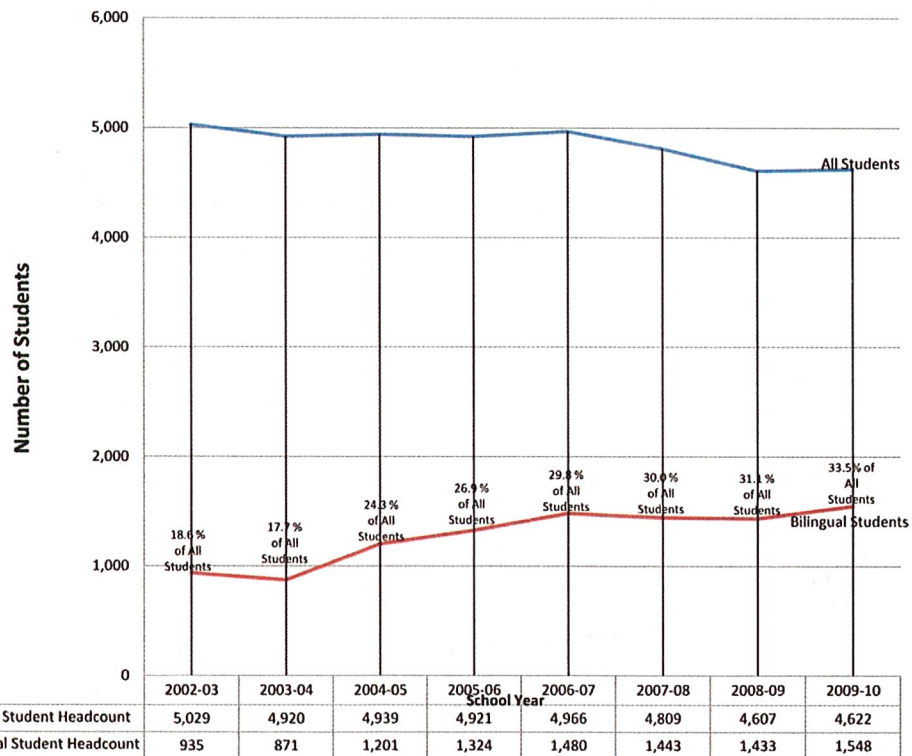


Chart 3

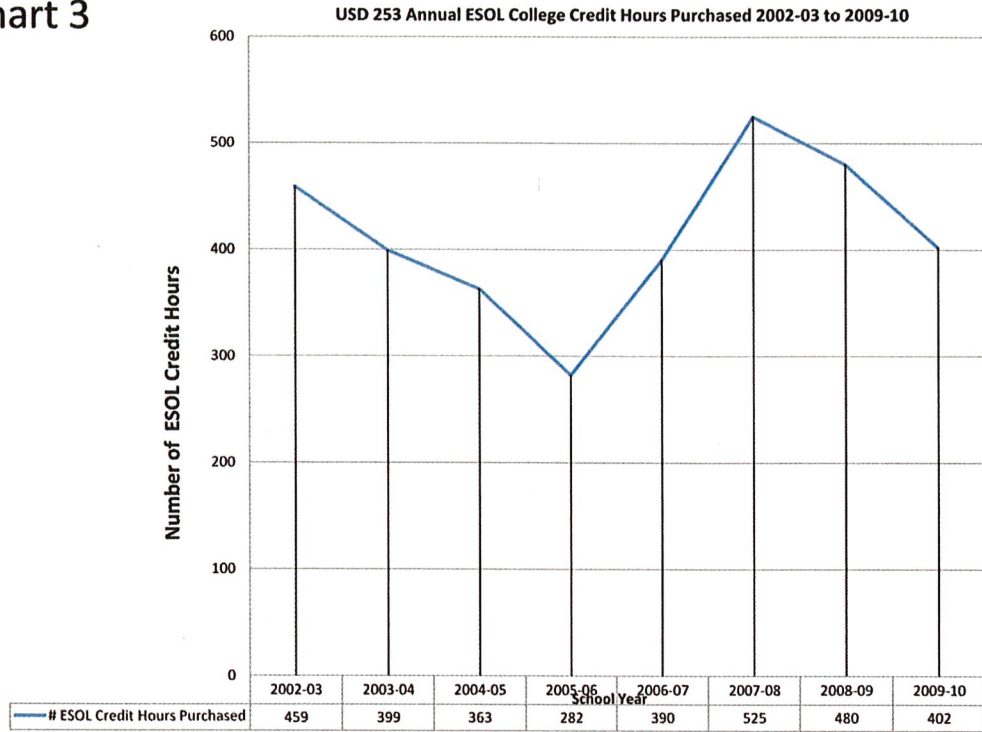


Chart 4

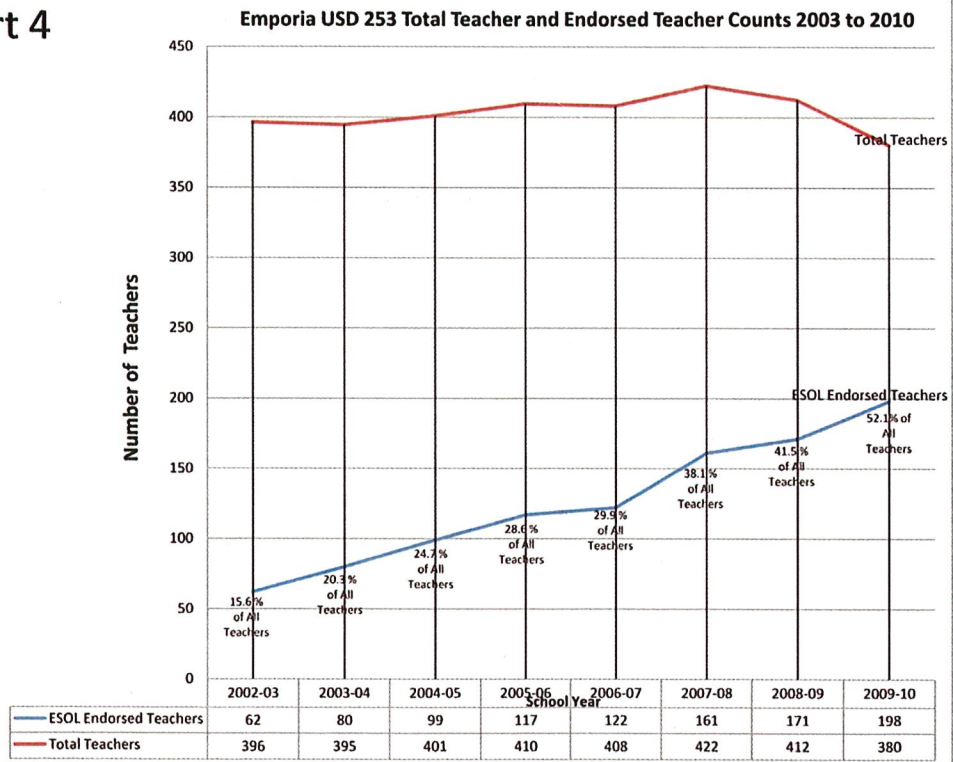


Chart 5

ELL Kansas Math and Reading Assessment Results 2003 to 2010

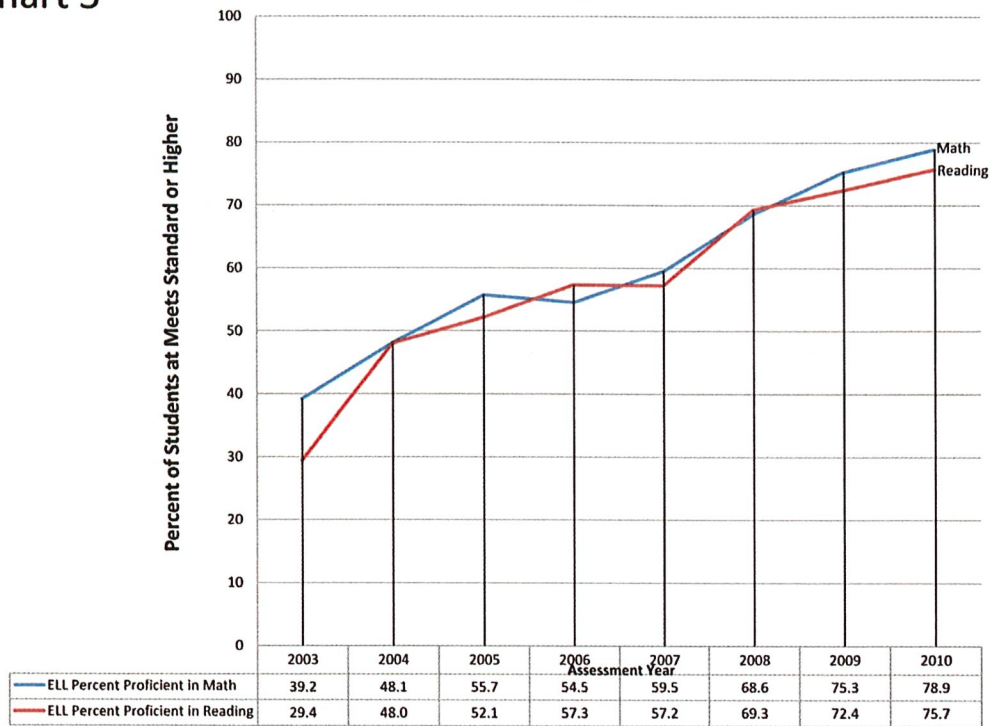
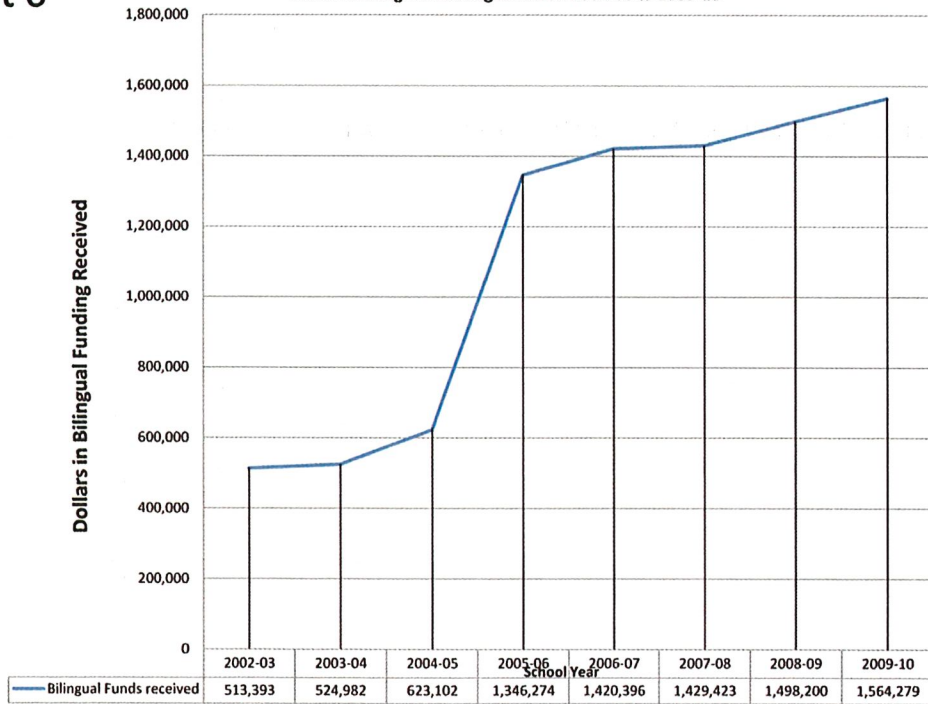


Chart 6

USD 253 Bilingual Funding Received 2002-03 to 2009-10



Please allow me to visit with you regarding the current formula for funding the necessary additional instruction for successfully meeting the educational needs of ESOL students compared to the proposed revisions to the formula contained in HB 2016. The current formula is designed to financially assist school districts who actually provide certified, qualified instruction to students who need ESOL instruction to achieve academic success. The current formula provides additional funding when a certified teacher has actual contact time with ESOL students. This is supported by the English Learner Civil Rights case of Casteñeda v. Pickard, 1981 "In order to be considered "appropriate" a language instruction program must be implemented to full effect—i.e. additional funds, additional teacher competency to run the program." The proposed revision to HB 2016 would provide the same funding for an ESOL student who receives certified instruction for a few minutes of the school day compared to an ESOL student who receives certified instruction for up to six hours of the school day.

USD 483, Kismet/Plains, has a total student headcount of 770. Over half of these students qualify for ESOL services according to the KELPA (Kansas English Language Performance Assessment). In order to qualify for ESOL services, students must meet the following eligibility criteria:

1. Indicate that English is not the primary language in the home
2. Show a need through a standardized assessment (KELPA or IPT) for additional services in language proficiency in the areas of Reading, Writing, Listening or Speaking

Assessment scores and academic performance determines the degree of services and programs of education. Usually this scope of education consists of a combination of direct instruction (pull-out programs), regular education, regular education with sheltered instruction, and technology assisted curricula (Rosetta Stone, Lexia, etc.). Many of our students receive ESOL instruction from qualified instructors for more than six hours per day. USD 483 has four certified staff members who work exclusively with ESOL students. Two other certified staff members work primarily with ESOL students most of the day. Revenue from bilingual weightings helps fund all-day Kindergarten, after-school programs and summer school as well as a complete set of curricular materials in each discipline catered to meet the educational needs of our ESOL population. The KELPA test is given annually to students to determine academic progress as students gain the necessary academic skills to exit the ESOL program. Grades and academic

progress are monitored each grading period with current ESOL students as well as students who have recently exited the program.

Most of our teachers at USD 483 meet the criteria for being a qualified ESOL instructor. A typical teacher in our district has completed 18-24 college credit hours relating to Second Language Acquisition, Linguistics, Teaching Methods and Assessments for English Language Learners, and Cultural and Professional Issues associated with English Language Learners. In order to be considered a 'certified' ESOL instructor, after completion of university coursework, each teacher must complete a common exam (PRAXIS) with a predetermined minimal score to be considered a competent ESOL instructor qualifying for additional funding through instructional contact time with students.

In my opinion, the current funding formula is formulated to fiscally reward districts that actually implement programs to better educate students. The revised formula would fiscally reward districts for simply having those students attending their school-- regardless of whether they were actually receiving additional service or qualified instruction for the better part of the instructional day. Do districts expect to receive additional funding through the vocational funding formula if they do not offer instruction by a certified vocational instructor? Do districts expect to receive transportation funding for students who do not ride the bus to school? Why would districts receive additional funding for ESOL students without providing qualified ESOL instruction? All districts with ESOL students need additional funding to meet students' academic needs, but the funding should correlate with the amount of service provided, not just attendance. Recent statements made by the Governor and the Speaker of the House indicate educational funding should be instructional with direct ties to the classroom. The current bilingual aid formula makes districts accountable for those funds and ensures that instruction comes from individuals who have been sufficiently trained to effectively educate ESOL students.

Public schools are required to educate each student who enters our doors. We are accountable for each student who resides in our district. Regardless of a student's skin color, native language, or socioeconomic status, we provide them with the optimal educational opportunities we have to offer.

USD 483 would lose approximately \$285,908 in bilingual funding if the proposed revisions for HB 2016 were accepted. If the governor's proposed budget were to be enacted, the district is projected to lose \$114,810 in base state funding for SY 2010-2011, and an additional \$240,336 in base state funding for SY 2011-2012.

Proportionally the proposed cut of \$232 on the BSAPP affects each district the same. Each district has funding specifically weighted in certain areas (At-Risk, Bilingual, Transportation, High or Low Enrollment Correlation, etc.) that accumulates into a final weighted FTE. A BSAPP decrease across the board affects every district. If this BSAPP decrease is coupled with additional weighted funding reductions such as Bilingual Aid, the resulting decrease will be devastating for many districts. If HB 2016 revisions are passed, additional Bilingual Aid decreases for the following districts are projected as:

Holcomb--\$55,673; Garden City--\$167,206; Dodge City--\$533,512; Cimarron-Ensign--\$56,319; Montezuma--\$9,010; Copeland--\$31,708; Ingalls--\$29,695; Syracuse--\$66,184; Sublette--\$114,343; Satanta--\$97,947; Lakin--\$74,498; Deerfield--\$60,868; Emporia--\$494,559; Rolla--\$17,124; Elkhart--\$27,269; Scott County--\$13,100; Wichita--\$895,103; Liberal--\$338,530; Kismet-Plains--\$285,908; Stanton County--\$34,504; Moscow--\$43,683; and Leoti--\$55,131.

HB 2016 provides only a slight increase in state appropriations (0.02% according to projected figures), but instead redistributes the current state allocation (about \$36,000,000). Obviously, some districts would receive additional funding. I certainly do not want to deprive those districts of additional funds, but not at the expense of other districts who have invested much to ensure that their ESOL students actually receive quality instruction from certified personnel. Under the current formula, no school district would receive additional FTE cuts in Bilingual Aid.

Most of you are probably aware the proposed revisions to the Bilingual Weighting Bill (HB 2016) have been introduced in both legislative chambers in recent years. The revised changes have never advanced for a floor vote due to the inequities contained in the bill that simply cannot be justified without additional service or programs for students. If the governor's proposed reductions are expected to be implemented, any manipulation of the current funding formula for education must be carefully scrutinized, as additional cuts on top of that will cripple some districts and directly impact meeting all students' needs.

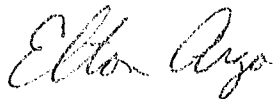
I would like to extend an invitation for any of you to visit the schools in our district. Kismet Elementary School has an enrollment of 208 students. A typical elementary classroom has about twenty students. Fifteen to eighteen of those students are of Hispanic origin. Please be sympathetic to the academic challenges that these type of demographics present. According to NCLB mandates and the AYP model, any subgroup of students with at least 30 students must maintain a minimal proficiency level. At Kismet Elementary School we have enough students

to have a Hispanic subgroup, an At-Risk subgroup, a Bilingual subgroup, but ironically do not have enough students to have a White subgroup. We are accountable to the Kansas State Department of Education as measured by academic progress on the Kansas State Assessments. Through the concentrated efforts of additional state funding for bilingual education and a dedicated, professional staff, our district performed well enough last year to achieve Adequate Yearly Progress (AYP). Without additional bilingual funding, I don't think we would be able to provide the personnel or resources necessary to academically perform at a proficient level.

I would like to thank all of you for allowing me the opportunity to visit with you today. Speaking to you is a little out of my comfort zone; however, I have a strong passion and care deeply for all of my kids—regardless of which language they speak. If these students do not find academic success, discouragement often leads to increased drop-out numbers, gang affiliations, increased criminal activity, and other social maladjustments that all of us ultimately pay for. Our goal as educators is to provide all of our students with the academic background necessary for them to become responsible, contributing members of society.

I know you have many difficult decisions to make with limited financial resources and demanding publics. I appreciate what you do, and I sincerely thank you for allowing me to visit with you today.

Sincerely,

A handwritten signature in cursive script that reads "Elton Argo".

Elton Argo, Superintendent of Schools
USD 483 Kismet/Plains



House Education Committee Representative Aurand , Chair

H.B. 2016 Bilingual weighting

*Submitted by Diane Gjerstad
Wichita Public Schools*

January 26, 2011

Mr. Chairman and members of the Committee:

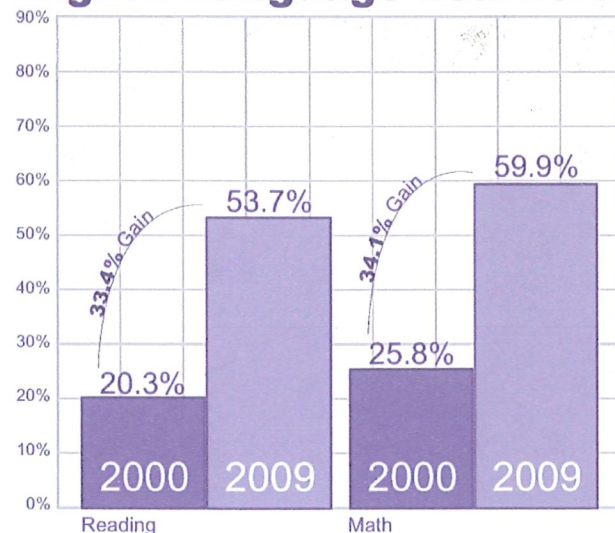
Currently districts receive additional weighting when eligible students receive bilingual services from a teacher with an English Language Learners endorsement. The .4 weighting was later reduced to .395. Under current policy students who are not proficient in the English language receive services from teachers with specialized training. Wichita's ELL population represents over 89 languages and dialects. The challenges these students bring into their classrooms is daunting but the expertise of teachers who learn the techniques to effectively teach non-English speaking students is reflected in achievement gains statewide. These gains become increasingly important as the demographics of the state shift.

The current weighting system is serving student well as demonstrated by Wichita's achievement gains shown in this chart. Proficiency is not a static number; it increases each year 4 to 5% in both reading and math.

We oppose this bill which would appear to simply "rearrange" school funding by taking target dollars from districts with the largest populations of English language learners in the state.

Thank you, Mr. Chairman, for considering the unintended consequences of H.B. 2016. We urge the committee to reject this bill.

English Language Learners



House Education Committee
Date 1/26/11
Attachment 9



**House Education Committee
Representative Aurand , Chair**

H.B. 2017 – At risk verification

*Presented by: Diane Gjerstad
Wichita Public Schools*

January 26, 2011

Mr. Chairman, members of the Committee:

We have several concerns about HB 2017, which stems from a 2006 Legislative Post Audit, and has been considered a number of times. The bill would eliminate at risk funding for the entire year when an audited application is found ineligible under the School Nutrition Program.

The school nutrition program is a strictly regulated and heavily audited process. The application, income and audit guidelines are set by USDA serve the mission of providing nutrition for school-aged children.

Kansas has wisely chosen free lunch eligibility as the proxy to generate at risk funding. The legislature has had numerous studies of at risk funding and each has found while no system is perfect, poverty is still the strongest predictor of achievement gaps. The Kansas system gives schools the flexibility to serve *any* student in need of additional services.

Secondly, food service programs are heavily audited: a) KSDE finance auditors, b) by the Child Nutrition and Wellness division of KSDE; and c) in January 2010 Wichita Public Schools had a Coordinated Review Effort (federal review process) reviewing over 4000 applications.

This bill would take away funding for free lunch applications found ineligible. However the bill and the audit ignore the fact that student families are coming in and out of free lunch eligibility every day. Under H.B. 2017 when a student's family is found ineligible in January, at risk funding is taken away from the district for the entire year, even though the teachers and staff were hired in August. H.B. 2017 takes away funding but offers no mechanism for students whose parents have been laid-off and become eligible to be counted.

Finally the audit in 2006 did not consider students at higher grade levels who self-enroll and do not complete income information. Applications for free or reduced lunch diminish in higher grades because older students self-enroll. Last year Wichita's free lunch percentage by level:

Elementary	65.4%
Middle	59.7%
High	50.6%

We understand there is unease some students receiving benefits are not eligible. But the 15% difference between elementary and high school indicates many more people simply don't bother to fill out the paperwork when students reach the secondary level – and schools do not receive additional funding.

HB 2017 takes away but does not credit when families are found to be in compliance later in the year. The bill is punitive and we oppose it. Thank you, Mr. Chairman, I would stan

House Education Committee
Date 1/26/11
Attachment 10



Kansas City, Kansas Public Schools

Unified School District No. 500

HOUSE EDUCATION COMMITTEE

HB 2017

January 26, 2011

Mr. Chairman, Members of the Committee:

The Kansas City School District appreciates the opportunity to testify on HB 2017. Our district supports the current law that links at-risk funding to the number of students qualifying for free lunch. We certainly don't expect to receive at-risk dollars for students whose family income exceeds the prescribed amount to receive this funding.

Nevertheless, we have some concerns regarding HB 2017.

First, HB 2017 would remove funding for the current school year for students deemed to be not eligible for the at-risk weight. USDs will not have the final count on which students don't qualify until mid-January. Current law removes these students for the next school year. HB 2017 requires a district to retroactively pay back all at-risk funding for such students for the entire year. In most cases, we have already provided at-risk services for these students during the first semester.

District 500 believes that discontinuing at-risk funding after final determination of eligibility would be more appropriate. In other words, districts would lose funding for second semester, but not first semester.

Second, USD 500 and many other districts consistently lose at-risk funding because some middle and high school students prefer to go hungry in order to avoid a perceived stigma by accepting a free lunch! Most of these students are certainly at risk to fail and, therefore, we provide at-risk services but without the funding.

And finally, our district believes that changes to the school finance formula which results in winners and losers should be delayed until per pupil funding reaches \$4,492 as prescribed in HB 2018.

Bill Reardon, KCKPS Lobbyist