

MINUTES

LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE

July 23, 2007
Room 123-S—Statehouse

Members Present

Senator Jean Kurtis Schodorf, Chairperson
Representative Clay Aurand, Vice-Chairperson
Senator Marci Francisco
Senator Roger Pine
Senator Ruth Teichman
Senator John Vratil
Representative Barbara Ballard
Representative Steve Brunk
Representative Deena Horst
Representative Eber Phelps
Representative JoAnn Pottorff

Members Absent

Representative Valdenia Winn

Staff Present

Sharon Wenger, Kansas Legislative Research Department
Michele Alishahi, Kansas Legislative Research Department
Theresa Kiernan, Office of the Revisor of Statutes
Dianne Rosell, Office of the Revisor of Statutes
Dale Dennis, Kansas Department of Education
Janet Henning, Committee Assistant

Others Present

Scott Frank, Legislative Division of Post Audit
Dr. Blake West, Kansas National Education Association
Scott Young, American Board for Certification of Teacher Excellence
Dave Saba, American Board for Certification of Teacher Excellence
Dr. Alexa Posny, Commissioner, Kansas Department of Education
Dr. Sharon Zoellner, Superintendent, USD 232, DeSoto
Dr. Randy Watson, Superintendent, USD 418, McPherson
Jerry Cullen, Superintendent, USD 220, Ashland
Dr. John Morton, Superintendent, USD 373, Newton

Diane Gjerstad, Wichita Public Schools
Glenn Deck, Executive Director, Kansas Public Employees Retirement System
Carol Benoit, Chief of Staff, Senate Vice-President
Jeff Arpin, Division of Budget
Rob Mealy, Little Government Relations Consulting
Dodie Wellshear, United School Administrators of Kansas
Bob Goodwin, Kansas Association of Rural Educators
Tom Krebs, Kansas Association of School Boards
Peg Dunlap, Kansas National Education Association
Sheila Frahm, Kansas Association of Community Colleges Trustees
Katie Sirebaugh, Kansas Assoc. of Technical Schools and Colleges/Kansas Action for Children
Cindy D'Ercole, Kansas Action for Children
Bill Brady, Schools for Fair Funding
Representative Ann Mah
Mike Reecht, K-12, Inc.
Rita Cook, Smoky Hill Education Service Center
Bill Reardon, Kansas City, Kansas USD 500

The meeting of the Legislative Educational Planning Committee (LEPC) was called to order at 10:00 a.m. by Chairperson Schodorf.

The Chairperson asked Committee members if there were any changes or additions to the Committee minutes of June 26, 2007. Senator Vratil noted that it should be reflected that Representative Aurand is the Vice-Chairperson of the LEPC. Senator Vratil also noted on page 5, second paragraph, second sentence, a change should be made from "low enrollment weighting" to "declining enrollment weighting."

A motion was made by Senator Vratil to reflect the two changes and accept the minutes as corrected. The motion was seconded by Senator Teichman. The motion carried.

Highlights from K-12 Education

Scott Frank, Legislative Division of Post Audit, gave an overview of the findings and conclusions of *K-12 Education: Reviewing Issues Related to Developing and Retaining Teachers and School Principals* (on file - Legislative Division of Post Audit).

Committee members were told there were three questions the Division of Post Audit was trying to answer.

- What is the extent of the teacher shortage in Kansas and some of the reasons for it;
- Review statewide salaries in Kansas, compare them to the statewide salary levels in other states, and Kansas' ranking in student performance; and
- Identify the best practices that a variety of school districts were trying in order to retain teachers and principals.

Regarding the extent of the teacher shortages in Kansas in 2005-06, nearly 34,000 teaching positions, almost 6 percent, were not filled by fully-qualified teachers. Teacher shortages are worst for high-poverty districts, districts in southwest Kansas, and for special education teachers. Auditors also looked at characteristics of teacher turnover and found that about 3,000 teachers or 8.8 percent of the total teaching force leave the public school system each year. It also was alarming that almost one-third of all Kansas teachers leave within their first three years of teaching. One of the trends is that in the next five years, there will be more and more teachers—almost 24 percent—who will be eligible for retirement.

Another question dealt with how Kansas compares in teacher salaries with other states and it should be noted that this is difficult to compare because Kansas' cost-of-living is different from other parts of the country. In 2004-05, Kansas' teacher salaries ranked 33 nationally after adjusting for regional cost differences. Information regarding the best practices for attracting, developing, and retaining high-quality teachers and school principals was obtained from various literature (Attachment 1).

A question and answer session followed the presentation.

Teacher Working Conditions Report:

Dr. Blake West, President, Kansas National Education Association (KNEA), gave an overview of *Creating Conditions for Student and Teacher Success: A Report on the 2006 Kansas Teacher Working Conditions Survey*.

It was noted that while other states also were participating in a survey of teacher working conditions, Kansas had the highest rate of participation. Funding for the study was provided by the NEA, National Governors' Association, and KNEA. Through a collaborative effort of KNEA, Kansas Department of Education, the Governor's Office, and United School Administrators, a set of questions was developed and administered in February 2006. At that time, by having a month-long window for an anonymous online survey, there was a 53 percent completion rate.

Some of the good news that immediately emerged is that teachers in Kansas, compared to other states, are probably more satisfied and more desirous of staying where they are as far as the teaching profession and the schools where they work than in other places. 86 percent responded that they want to stay where they are. 79 percent said their schools were a good place to work and learn; and 87 percent of the Kansas educators believe their faculty was committed to helping every student learn.

At the state level, there are areas of concern relating to school quality, making sure we provide the best learning environment, as well as teaching environment, and teacher retention.

The major findings regarding teacher working conditions included: teacher turnover; salary (critically important); teachers and administrators viewing working conditions differently; teachers wanting more non-instructional and collaborative time; and improved leadership.

Survey results showed that Kansas teachers were more positive regarding their working conditions than other states' teachers. Kansas student achievement scores are higher than in other states, and achievement gaps are narrower in Kansas than in other states. Teacher working conditions translate to student learning conditions and the essential message is "Every student can learn."

The recommendations of the study are:

- Ensure the survey data is used by educators to develop assistance for working condition improvements;
- Invest in school and teacher leaders who can create positive teacher working conditions;
- Close the working conditions gap by targeting resources and engaging communities in schools; and
- Make teacher working conditions data a permanent part of the Kansas Education Reform (Attachments 2 and 3).

A question and answer session followed the presentation.

Teacher Shortage in Kansas: Initiatives That Could Help

David Saba, President, American Board for Certification of Teacher Excellence (ABCTE), advised this program was developed with a grant from the U.S. Department of Education because of a projected teacher shortage and a need to move more career changers into the classroom. He advised that every state is experiencing the same type of shortage. The retention of teachers is critical as fewer people are going into teaching.

According to a recent survey, 18 - 40 year olds have held ten different jobs in which five of those have been career changes. Students today are not going into teaching and even those that do go into teaching are not going to stay in any career for 30 years. There are fewer people going into education, more people switching careers, and more retirements. This is affecting every school district in every state throughout the United States (Attachments 4, 5, and 6).

A question and answer session followed the presentation.

Dale Dennis, Kansas State Department of Education, said it was his belief that the Kansas teacher shortage is the most serious problem facing education in the state. He stated the number of teachers eligible to retire and the number of potential teachers in the colleges/universities is out of balance. The areas where vacancies are most serious include special education, math, science, vocational-technical, foreign language, music, and counseling. The Department of Education conducted an informal survey of all districts requesting the number of vacancies they had as of June 4, 2007. Districts responded with a total of 1,144.4 vacancies for certified teachers.

Options for discussion that are possibly helpful in resolving this problem include: fund the Teacher Mentor Program; professional development; increase the base state aid per pupil; implement a student loan cancellation program; deal with KPERS issues; and improve 'Grow Your Own' programs.

Dr. Alexa Posny, Commissioner, Kansas State Department of Education, told Committee members the primary route to alternative licensure in Kansas is through the restricted teacher license as authorized in regulation. The restricted license was designed to fill a need for districts having trouble recruiting licensed teachers and to recruit mid-career professionals who already have content knowledge.

Alternative programs that exist include the Fellows Program at Pittsburg State, UKanTeach at University of Kansas, Transition to Teaching at Wichita State, and Three Year Online, at Wichita

State and at Fort Hays State (Attachment 7). In addition, Dr. Posny said the State Board of Education is reviewing the ABCTE program, a Troops to Teachers program, and the University of Phoenix. These are programs having the potential to increase the state's corps of teachers.

A question and answer session followed the presentation.

KPERS—Hiring Retired Teachers

Sharon Wenger, Kansas Legislative Research Department, gave Committee members an overview of the issues surrounding KPERS and retired teachers (Attachment 8).

Dr. Sharon Zoellner, Superintendent, USD 232, shared concerns about how KPERS regulations impact the ability of school districts to hire retired teachers and administrators. There are numerous questions that have been posed and probably need to be answered if the ideal plan is to be crafted for getting KPERS financially sound.

Issues to be considered:

- Whether school employees should be able to continue to work after they have retired;
- If the knowledge the retired staff member brings to the district is worth a change in the system, then why not let them help pay for that privilege;
- Whether age discrimination exists;
- Whether the policy of prohibiting retired employees from remaining in their own district has hampered efforts of districts as they struggle to keep a highly qualified teacher in every classroom; and
- The opportunity for districts to hire retired staff through a secondary agent or as independent contractors does nothing for increasing the income into KPERS as these staff members would not be subject to the surcharge penalty (Attachment 9).

Dr. Randy Watson, Superintendent, USD 418, told Committee members his presentation centered around one solution to the teacher shortage especially as it relates to utilizing one of our state's best educational assets—retired teachers and administrators. According to Dr. Watson, a viable option to solve this problem is termed the “6/6 Retirement Solution.” A group of superintendents and directors from central Kansas designed it in hopes of solving the problem of hiring retired teachers and administrators. The proposal includes:

- Any teacher or administrator who retires in Kansas locks in their KPERS retirement benefits at the time of retirement;
- Any teacher or administrator who retires can work in any school district in Kansas, including the one the teacher or administrator retires from, with no limitation on earnings;
- Any teacher or administrator who retires and decides to return to teach or administrator in any school district would pay to KPERS 6 percent of their salary.

School districts would match that with 6 percent, making the contribution 12 percent of the total salary (this is the new law starting in 2009 for all new teachers in the KPERS system). This money goes straight into the KPERS pool to help make it financially sound; and

- Any teacher or administrator who retires and decides to return to teach or administer will not have tenure or fall under a district's negotiated agreement (current law).

According to Dr. Watson, this proposal could solve many of the issues being described by Legislative Post Audit and practitioners from the field ([Attachment 10](#)).

Jerry Cullen, Superintendent, USD 220, stressed the concern of administrators regarding the restrictions on hiring retired educators.

Superintendent Cullen stated the best possible solution would be to treat retirees as any other employee with the exception that they cannot add to their retirement benefits, but let them withdraw their contributions (paid during the time they teach in retirement) when they resign. He said that more quality people will be maintained if retirees are given an opportunity to remain in their current district ([Attachment 11](#)).

Dr. John Morton, Superintendent, USD 373, gave a synopsis of a survey entitled "The Impact of the KPERS Surcharge on Kansas School Districts: District Survey Results" ([Attachment 12](#)).

Diane Gjerstad, Wichita USD 259, gave an overview to Committee members of a study conducted by Wichita State University entitled *Estimating Separation Rates, USD 259, January, 2007* ([Attachment 13](#)).

Glenn Deck, Executive Director, KPERS, gave Committee members information on KPERS issues for retired teachers. Explanations were given for KPERS retirees working for the same KPERS employer; working for a different KPERS employer, the cost impact of changes to earnings limitation, and IRS compliance issues ([Attachment 14](#)).

A question and answer session followed the presentations.

Michael Stewart and Paul Gazzero, Standard & Poor's, gave a Power Point presentation on *Kansas School District Efficiency Study, Part I, Efficiency Analysis*. Committee members were told this study did not try to answer the question of how much money the state and individual school systems should spend on education, but rather provided a starting point to answer the question of how well or *how efficiently* school districts are spending the money already appropriated to them. The specific objects of the study included efficiency measurement and efficiency improvement ([Attachment 15](#)).

A question and answer session followed the presentation.

The Chairperson announced there will be a joint meeting of LEPC and 2010 Commission on Monday, July 30, 2007, at 10:00 a.m., Room 514-S, Statehouse.

The Chairperson announced there also will be an LEPC meeting on August 13-14, 2007.

The meeting was adjourned at 3:45 p.m.

Prepared by Janet Henning
Edited by Sharon Wenger

Approved by Committee on:

August 13, 2007
(Date)