

Report of the At-Risk Education Council to the 2010 Commission

CHAIRPERSON: Dr. Andy Tompkins

OTHER MEMBERS: Mr. Dale Cushinberry, Ms. Deloyce McKee, Mr. Bud Moore, Mr. Dave Self, and Mr. Bob Corkins

STUDY TOPICS

The Council is to:

- Identify those conditions or circumstances that contribute to making a student at-risk of not succeeding in school;
- Develop and recommend public school programs and services which meet the needs of at-risk students and help close the achievement gap;
- Develop and recommend tools to assess and evaluate the effectiveness of approved at-risk programs;
- Recommend funding alternatives for approved at-risk programs; and
- Make a report on its activities to the Governor and to the 2010 Commission by October 1, 2006. The Council must make a final report, including recommendations, to the Governor and the 2010 Commission by October 1, 2007. The Council will terminate June 30, 2007.

September 2006

At-Risk Council

REPORT TO THE 2010 COMMISSION

CONCLUSIONS AND RECOMMENDATIONS

The At-Risk Council makes the following recommendations and draws the following conclusions:

Conclusions

- The Council continues to believe that the best state proxy for identifying at-risk students is poverty, whether that be measured by free or free and reduced price lunches.
- The Council notes that student achievement on state assessments has improved in elementary and middle schools but little at the high school level. The Council believes that there needs to be a better understanding of the achievement gap at the secondary level to include examination of dropout, graduation, and attendance rates.
- The Council believes that a single tool, such as state assessment scores, is too narrow to determine if a child is at risk.
- The Council believes that the Kansas State Department of Education criteria for serving at-risk youth that are required for school district plans are appropriate but need periodic adjustment based on new research.
- The Council affirms the work of the Kansas Legislature and Governor in differentiating at-risk funding with the core funding being decided on poverty and the second level of funding taking density into account. The Council believes that the third level of funding at-risk students based only on student proficiency on the state assessments for those who are not on the free lunch program is an interesting and potentially effective approach that needs further study.
- The Council concludes that at-risk students need the most qualified teachers and that this is not occurring in many schools, especially at the secondary level.
- The Council concludes that there is a teacher shortage in selected subjects and geographic areas and that the problem of recruitment and retention must be addressed.
- The Council supports the state database project being developed by the Kansas State Department of Education to include both student and teacher information.
- The Council concludes that periodic studies of effective at-risk programs and strategies need to be conducted at the recommendation of the 2010 Commission.
- The Council believes that comprehensive social support is vital to ensure the success of at-risk students and that the statute requiring an integrated social support system must be implemented and maintained in an effective and efficient manner in all districts.
- The Council believes that an evaluation of charter schools is needed to determine lessons learned and areas in need of improvement. A part of the new federal charter school grant recently received by the Kansas State Department of Education requires such an evaluation.

Therefore, the Council hopes that the 2010 Commission will utilize the results to identify what has been learned in the operation of charter schools that might be informative for all public schools and to determine needed adjustments in charter school statutes or policies.

- The Council believes that at-risk students should be encouraged to seriously consider continuing education after high school and provided access to programs that will enable the students to pursue a career path, whether it be vocational, technical, community college or university, which will allow the students to be successful members of society.

Recommendations

- The Council recommends that the second level of funding for at-risk students, which is the high density formula, be based on the prior year's data and implemented using a linear transition calculation. The Council believes that the density formula needs to be reviewed periodically to ensure that it is taking into account all areas of the state and that it is adding value to student learning.
- The Council affirms that the third level of funding, Non-Proficient At-Risk Weighting, be for students who are below proficiency and not on free lunch. Also, the Council recommends that the 2010 Commission study the impact of this provision and the formula which distributes the funding should be simplified if the weighting remains in effect beyond its current statutory termination date of June 30, 2007. Further, the Council notes that the student improvement team practice currently utilized in the schools should be helpful in identifying the results of this initiative.
- The Council recommends the continued support of the data system being developed and implemented by the Kansas State Department of Education as a critical component in the ongoing understanding of the achievement gap of at-risk students. Furthermore, the Council supports the implementation of 2006 SB 549 which requires the State Department of Education to provide performance and financial accountability for the use of at-risk funding. Additionally, the Council recommends that the Kansas State Department be supported in its efforts to be a resource for schools in identifying successful programs and strategies for helping at-risk students.
- The Council recommends that the Department of Education periodically reevaluate the existing criteria for the determination of a student to be in need of at-risk services to include consideration of the use of at-risk funds on specific professional development to serve at-risk students such as behavior management training.
- The Council recommends that the 2010 Commission authorize follow-up studies on early career teachers who leave the profession to determine what factors contribute to their leaving, as well as, successful practices needed to recruit and retain highly qualified teachers.
- The Council recommends that the 2010 Commission authorize a study to determine the factors contributing to the achievement gap and lack of progress in student achievement at the high school level.

Proposed Legislation: None.

BACKGROUND

The 2005 Legislature created the At-Risk Council, which is composed of six members, five appointed by legislative leadership and the Commissioner of Education. The statutory duties of the Council include:

- Identifying those conditions or circumstances which contribute to making a student at-risk for not succeeding in school;
- Developing and recommending programs and services which meet the needs of at-risk students;
- Developing and recommending programs and services which help close the achievement gap;
- Developing and recommending tools to assess and evaluate the effectiveness of at-risk programs; and
- Recommending funding alternatives for at-risk programs.

The Council is to submit a report on its activities to the 2010 Commission and the Governor on or before October 1, 2006, and its final report is due on or before October 1, 2007.

COMMITTEE ACTIVITIES

The Council began meeting during the 2005 Interim and continued through the 2006 Session. All items considered by the Council during the 2005 and 2006 meetings are reviewed in the following material, along with Council conclusions and recommendations.

History of the Recent Kansas Supreme Court Ruling

Staff briefed the Council on the recent school finance litigation case before the Kansas Supreme Court. Recent history of school finance litigation in Kansas goes back to the 1970s, when the prior school finance act, the School District Equalization Act (SDEA), was enacted in 1973 in response to a district court decision which found the prior act deficient because the state had not provided enough aid to offset disparities among school districts in taxing efforts and per-pupil expenditures.

The SDEA was challenged in 1990 and 1991 in lawsuits that were consolidated in Shawnee County District Court before Judge Terry Bullock. Judge Bullock announced a series of principles he would apply in deciding the pending case and the legislature responded by enacting a new school finance act in 1992, the current School District Finance and Quality Performance Act.

The new law was immediately challenged and, in an opinion issued in December 1993 by Shawnee County District Court Judge Marla Luckert, was found to have two constitutional infirmities:

- The uniform school district general fund tax levy was construed to be a state property tax and, as such, subject to a constitutional provision which limits such levies to two years in durations and
- The low enrollment weight was found constitutionally deficient because it perpetuated inequities caused by the previous school finance law and the enrollment eligibility was set at too high a level.

The decision was appealed to the Kansas Supreme Court, which, in December 1994, overruled Judge Luckert's finding that the low enrollment weight was constitutionally deficient and upheld the constitutionality of the act. (The property tax provision had been corrected by the legislature, which, in 1994, began the practice of subjecting the tax to renewal every two years.)

With regard to the most recent litigation, staff told the Council that the cases had been brought by essentially the same parties and are represented by the same attorney as in the previous 1990 and 1991 lawsuits. The federal case, *Robinson, et. al v. State of Kansas, et. al*, was filed May 21, 1999, by 32 students from USD 305 (Salina) and USD 443 (Dodge City) who represent protected groups. They argue that mid-size school districts do not receive the same amount of school funding per student as the smaller enrollment school districts, a fact that has a discriminatory impact on minority and disabled students in larger districts.

The state court case, *Montoy, et. al v. State of Kansas, et. al*, was filed December 14, 1999, by USD 305 (Salina) and USD 443 (Dodge City) and by 31 students from those districts who represent various protected classes, including African-American, Hispanic, Asian-American, students with disabilities, and those of non-United States origin. The plaintiffs bring all of their claims under the Constitution of the State of Kansas, including a challenge as to whether the legislature has made "suitable provision for finance of the educational interests of the state as required by Article 6."

When Montoy first reached his court, Judge Bullock determined that there was no issue for the court to decide, because educational interests properly were in the jurisdiction of the legislature and the State Board of Education. The Kansas Supreme Court disagreed and remanded the case to him. Judge Bullock found for the plaintiffs and the case was appealed to the Kansas Supreme Court. On January 3, 2005, the Kansas Supreme Court rendered its opinion in which it held that the legislature had failed to "make suitable provision for finance" of the public school system as required by the Kansas Constitution. As funded, the statutory formula failed to provide adequate funding to middle-sized and large districts with a high proportion of minority, at-risk and special education districts. Increased funding would be required. The Court stated among the critical factors for the legislature to consider in

achieving a suitable formula for financing education were the equity with which the funds are distributed and the actual costs of education. Without specifically directing the Legislature how to do so, the Court gave the Legislature until April 12, 2005, to cure the defects in the law.

During the regular session of 2005, the Legislature passed House Bill No. 2247 and Senate Bill No. 43 which increased the amount of the base state aid per pupil, increased the at-risk and bilingual weightings, increased the local option budget authority, increased funding for special education, created additional local funding authority, directed the Legislative Division of Post Audit to conduct a cost study, created a school district audit team within Post Audit and created the 2010 Commission.

On June 3, 2005, the Supreme Court issued a supplemental opinion to its January decision citing a “continuing lack of constitutionally adequate funding” and “inequity-producing local property tax measurers.” The Court told the legislature that it had until July 1, 2005, to increase the \$143 million in funding already appropriated for school year 2005-2006 by an additional \$142 million. The amount was equal to one-third of the estimated \$853 million cost of implementing the recommendations of the 2002 Augenblick and Myers study which the Court stated was “the only analysis resembling a legitimate cost study before us.”

The Court stated that funding beyond the 2005-2006 school year would be contingent upon the results of the cost study done by the Legislative Division of Post Audit. The court also stated that the cost study would have to include the determination of the costs of outcomes required by rules and regulations adopted by the State Board of Education which require achievement of measurable standards of student proficiency.

During the Special Session that was called in response to the June 3 decision, the Legislature passed Senate Bill No. 3. The bill addressed the specific concerns of the Court with the local option budget and the extraordinary declining enrollment by equalizing them and by expanding which districts could qualify for what is now called the declining enrollment weighting.

Senate Bill No. 3 also increased the amount of base state aid per pupil, increased the at-risk weighting, created the At-Risk Council, increased funding for special education, provided for capital outlay state aid, reinstated the correlation weighting, allowed for the appointment of a legislative education counsel to represent the legislature in school finance litigation, required Post Audit to provide for an inputs cost study and an outcomes-based cost study and established a policy goal that at least 65 percent of the moneys provided by the state be used for the classroom or for instructional purposes. Additional state aid in the amount of \$148.4 million was provided by the bill.

Only July 8, 2005, the Supreme Court ruled that Senate Bill No. 3 was in substantial compliance with its June 3rd Order and approved it for interim purposes.

At-Risk Students In Kansas

Dale Dennis, Deputy Commissioner of Education, explained that students who face certain conditions such as not working on grade level, having a high rate of absenteeism, having repeated suspensions or expulsions, or being identified as an English Language learner are defined as at-risk because, statistically, students in these categories are more likely to be among the lowest achievement groups or drop out of school altogether. In Kansas, as evidenced by the 2005 state assessments results, there continues to be a significant achievement gap between advantaged and disadvantaged students, majority and minority students, and English proficient students and English language learners.

KSA 72-6407 defines “at-risk pupils” as pupils who are eligible for free meals under the National School Lunch Act and for whom a district maintains an approved at-risk pupil assistance plan. While the number of pupils who qualify for free lunch determines the additional dollars a school district receives, the school district must have a plan in place that has been approved by the State board of Education identifying which at-risk students will be served and the services they will receive. According to guidelines established by the State Board of Education, an at-risk student can be defined by one or more criteria. Predominantly, a student who is not working on grade level in either reading or mathematics is the major criteria used. An at-risk student is one who exhibits one or more of the follow characteristics:

- Is not working on grade level in mathematics or reading or both;
- Is not meeting the requirements necessary for promotion to the next grade;
- Is failing subjects or courses of study;
- Is not meeting the requirements necessary for graduation from high school and is a potential dropout;

- Has insufficient mastery of skills or is not meeting state standards;
- Has been retained;
- Has a high rate of absenteeism;
- Has repeated suspensions or expulsions from school;
- Is homeless or migrant or both; or
- Is identified as an English Language Learner.

Services provided by school districts with at-risk pupil funds include tutoring services, alternative schools or classes, programs designed for make-up courses or credits, additional instructional services for reading and math, extended day and year programs, English as a Second Language, and counseling services.

Mr. Dennis pointed out that during the 2003-2004 school year, at-risk programs served 142,778 students across the state. These programs have made a significant difference in the lives of students by helping them improve their grades, obtain graduation credits, stay in school, attend school regularly, and improve their chances for success in life.

Four-Year-Old At-Risk Program

The four-year-old at-risk program was established approximately nine years ago to help students prepare for entering kindergarten, according to Mr. Dennis. The program is half-day and is patterned on the three- and four-year-old Head Start Program.

In prior years, the Legislature placed a limit on the number of student that could be served by the program. The 2005 Legislature amended the law to eliminate the cap and make it subject to appropriation. During the 2005-2006 school year the estimate is that 5,603 students will be funded for the program.

The number of students that remain to be served would probably not exceed 897 additional students.

Mr. Dennis listed some of the advantages of the program as follows:

- At-risk students, and in many cases students living in poverty, begin school behind and never catch up. This program gives those students a much better advantage to be successful.
- By funding this program it saves school districts and society money in the long run. The savings comes about in a reduced need for special education as well as increasing the chances of a student's success.
- The at-risk students who participate in this program have had higher test scores, are absent from school less often, and are more likely to be promoted to the first grade.
- Investing in early childhood education has a positive impact on the students as well as economic development.

2005 Trends in Kansas Education

Dr. Alexa Posny, Assistant Commissioner, State Department of Education, says Kansas is a state:

- Scoring second highest in the nation in math on the National Assessment of Education Progress (NAEP) for 4th graders;
- Scoring 10th highest in the nation on math on the NAEP for 8th graders;
- Scoring a grade of 99 for the proportion of students who go on to college, the 2nd highest score in the country;
- Being one of the top six states in the percentage of high school graduates going on to college;
- Being one of the top nine states in the proportion of high school graduates with scores in the top 20 percent nationally on either the ACT or SAT

- Rising ACT college entrance examination scores since 1994, five times faster than the national average
- Having the 8th highest average Advanced Placement (AP) exam scores in the nation;
- Having 70 percent of public high school students taking AP exams earning a score high enough to qualify for college credit;
- Improving graduation rates (87 percent);
- Decreasing dropout rates (2 percent or less);
- Increasing significantly the number of students taking advanced mathematics and science classes;
- Sustaining high attendance rates (95 percent);
- Increasing “dramatically” the number of schools reaching the standard of excellence; and
- Narrowing the achievement gap, especially in the last five years.

year. The demographics for the population attending were: 48 percent female, 17 percent minority, 34 percent low socio-economic status (federally defined term), 9 percent disabled; and 3 percent English Language Learners.

According to the annual report, charter schools provide educational opportunities focusing on academics. The use of individualized instruction and technology is incorporated in the majority of the schools. The grade division of charter schools was: 18 high schools; 13 middle schools; and 11 elementary schools. In addition, 83 percent of charter high schools are alternative or credit recovery programs and low socio-economic status students in charter high schools is almost double the state average. Reading scores for 5th grade were higher than the state average in 2004 and equal in 2005. Reading scores for the 8th grade in charter schools were higher than the state average in 2004 and slightly higher than the state average in 2005. However, the 11th grade reading scores were approximately half of the state average in 2004 and 2005.

Kansas Charter Schools

Dr. Tom Foster, Kansas State Department of Education, provided the following information from the 2004-2005 Kansas Charter School Annual Report:

There were 27 charter schools in Kansas during the 2004-2005 school year. They were distributed geographically throughout the state; however, they are located primarily in rural settings spanning grades K-12. Of the 27 charter school operating in 2004-2005, only 25 will continue operations in 2005-2006 school year and two new charter schools were approved by the State Board in March of 2005. However, only one of the new approved charter schools began operation. Almost 2,000 students attended Kansas charter schools during the 2004-2005 school

Legislative Post Audit Cost Study Analysis of Elementary and Secondary Education in Kansas: Estimating the Costs of K-12 Education using Two Approaches

Barbara Hinton, Legislative Post Auditor, Legislative Division of Post Audit, reviewed the at-risk sections of the report for the Council. She reported that beginning with the 2005-06 school year, the Department of Education's guidelines require districts to use some form of diagnostic assessment or evidence-based educational criteria to identify at-risk students. These could be things such as results of state or local assessment tests, or records of academic performance. In addition, special education students became eligible that year for at-risk services, so long as those services are not the same services being funded with special education funds. The 2005 Legislature increased the at-risk weighting from .1 to .193 for school year 2005-06 and this additional funding means that the weighting generated approximately \$822 in state funding for each free lunch pupil or approximately doubled the total funding for the program between the 2004-05 school year and the 2005-06 school years from \$52.0 million to \$110.7 million.

The at-risk portion of the study employed a sample of 11 school districts: USD 326 Logan, USD 217 Rolla, USD 349 Stafford, USD 404 Riverton, USD 253 Emporia, USD 480 Liberal, USD 457 Garden City, USD 512 Shawnee Mission, USD 443 Dodge City, USD 500 Kansas City, and USD 259 Wichita which were reviewed in detail. The findings by Legislative Post Audit were as follows:

- Districts have not reported the number of students served in a uniform, consistent basis. According to the study some reported the number of students eligible for free lunch, others reported students participating in state funded at-risk programs only, and others reported students participating in all at-risk programs.
- The state's basis for funding at-risk services has little relationship to the number of students who receive at-risk services. According to the study poverty

serves as the basis for funding; however lack of academic progress is the basis for receiving services and during 2003-04, 129,885 students were eligible for free lunches, while 143,000 at-risk students were served. The study found that small districts in its sample provided at-risk services to far fewer students than the number of students counted for funding purposes and they tended not to be the same students. Several of the larger districts identified all students who qualify for free lunches as being eligible for and receiving at-risk services.

- Variations in at-risk services provided also occurred within the sample districts reviewed. The most common types of at-risk services included after-school activities, special reading and math programs, alternative school settings, and counseling services. However there were unique services being provided by the sample districts, such as the Therapeutic Education Center which serves at-risk students before and after a stay at Larned State Hospital; Kid Zone in Kansas City, for children that have no safe place to go before and after school; transportation for migrant students to and from after-school programs held at El Centro, in Kansas City; free lunch during the summer for children in Stafford whether or not they are enrolled in school; and junior ROTC in Wichita which is described as a character-building and leadership program. Some districts also used at-risk moneys to serve all students in school buildings with a significant number of students considered to be at-risk. Two major examples of such programs are class-size reduction and full-day kindergarten.
- The report found that the sample districts spent much more than they received in State at-risk funding, in providing at-risk services. Approximately 93 percent of at-risk expenditures reported to the State Department were labeled as salaries and benefits and most of the sample districts indicated that they would spend any additional at-risk funding they received to initiate or expand current at-risk services.

The study states that the current funding formula is set at 0.193 and the cost function analysis performed by consultants hired by Post Audit to assist in the study was set at 0.484. In addition, the consultants' analysis added a new weighting for urban-poverty weight to meet an estimate of the significantly higher costs incurred by high-poverty, inner-city school districts, which would apply to Kansas City, Kansas City-Turner, Topeka and Wichita districts, set at 0.242 for a total for those four districts of 0.726 for school year 2006-07.

Closing the Gap for At-Risk Students

Dr. Alexa Posny, Assistant Commissioner, explained that the gap between the academic achievement of students who are disadvantaged and students who are not has been decreasing at the elementary and middle school level in Kansas; however, at the secondary level, the gap remains the same. While Kansas students have made “tremendous gains” over the past five years, lower scores for disadvantaged students at the high school level reflect either a decline in their scores or a rise in affluent students’ scores. In all subjects and at all grade levels, students who are disadvantaged perform behind others.

A paper prepared by the National Center for Education Statistics (NCES) entitled, “Understanding the Learning Gap of Disadvantaged Students: Findings from National Survey Research Studies,” highlights effective strategies to close the achievement gap. NCES found that many home environments of disadvantaged students did not contain books or places to study and that parents tended to have less participation in educational activities as well as lower expectations for educational achievement. In terms of school environments, the report pointed out that every child must be ensured access to the best educational opportunities including being held to high challenging standards, having quality teachers, and being held accountable for their achievement.

The study points to a series of straightforward strategies schools can and should use to close the gap. While these strategies include most of the programs already offered in Kansas schools – early learning opportunities, professional development, extended time – important complexities and pitfalls sometimes curtail their overall effectiveness and none is easy to carry out. Some are more costly than others, and many others require changes in knowledge, skills, and ways of thinking that are hard to bring about, especially on the scale of a whole state’s education system.

The following are examples of recommendations from the NCES study to

school districts to close the achievement gap:

- High quality early childhood programs that focus on academic preparation for school can reduce the gap sharply, and their effects last well into the schooling process. One of the primary recommendations in the report call for expanding and improving preschool programs for 3- and 4-year-old children. “Affluent families typically provide preschool learning opportunities for their children. This advantage must be provided to all children who typically under-perform in school.”
- The Southern Regional Educational Board (SREB) analyzed teaching practices using a statistical model that controlled for the effects of poverty, race and gender. Four teaching practices were linked with higher student achievement in reading, science and math. The more often these practices occurred in classrooms, the higher students’ scores on the assessment. The following curricular and instructional practices were recommended:
 - Amount and quality of work needed to earn an A or B on assignments was clearly specified; teachers who provided specific guidelines for assignments and examples of quality work, translated content standards into concrete performance standards for students.
 - High standards for students were expected and included help in meeting these standards.
 - Subject and content are known well and teachers are “always asking about the how’s and whys. These teachers ask students to compare and contrast and they challenge...,” the content of courses is challenging, accurate and up-to-date.
 - The curriculum prepares learners for the future.

- Dr. Posny pointed out that for over the past 20 years, research has shown that teachers form expectations for students' achievement that influence that actual achievement of individual students, including the decision to drop out of school. The nature and degree of this effect are likely to vary based on teachers' beliefs about teaching and learning as well as specific characteristics of the teacher and his or her students. Searching for students' talents and strengths—for reasons to regard every student as a valuable person—enables students to tap into more of their potential. The following are some effective examples:

- High performing schools have higher expectations for all students and have leaders who listen to what students and teachers say about their schools, raise expectations, and understand how effective instructional practices and deeper knowledge of content can improve student achievement.
- High performing schools have and use knowledge of human development and cultural norms and traditions, learner-centered practices, cultural socialization, and learning styles.
- High performing schools use the unique abilities, skills, talents, and strengths of all students to expand and extend their learning and achievement, using in culturally appropriate ways questioning strategies, critical thinking, and the application of knowledge.

- Accountability is needed for both students and schools. Both school accountability and student accountability programs must be instructionally relevant and used to change practice. Schools can be held accountable by taking a snapshot of a subgroup's or school's percent of students at proficient or above at one point in time and comparing that percent with an established target. Progress is

defined by the percentage of students at proficient or above and whether the group met or did not meet the target.

Student accountability can be based on tracking the achievement scores of individual students or students in the same group such as grade level from one year to the next or over multiple years to determine if the students have made progress. The change in scores is usually compared to a standard of expected growth. The following characteristics are often part of a well developed accountability system:

- Learner outcomes are specified and they form the basis for assessment.
- Outcomes are consistent with the vision and goals of the school.
- Outcomes are developed with broad community involvement and refer to the skills students needs to succeed in college, at work, or other post-secondary endeavors.
- Outcomes include a combination of intellectual processes, skills and content knowledge that provide a clear framework within which assessment can occur.
- Outcomes are cumulative throughout a child's education, from kindergarten though graduation. Benchmarks provide the acceptable ranges of performance at various ages.
- Good school level leadership is the common thread found in a successful school turnaround in performance. Good leadership shares the responsibility, holds everyone mutually responsible, has a set of common goals for the good of the organization, and enables and sustains organizational change. Slightly more than half of teachers in high performing schools as compared to only one-third of low performing schools say their schools' goals and priorities are clear.

Additionally:

- In high performing schools, teachers and school administrators work together to improve the achievement of students in their schools.
- Leaders in high performing schools encourage teachers to teach more rigorous content and maintain a demanding yet supportive environment that pushes students to do their best.
- Teachers in high performing schools report that their principal consults with them before making decisions that affect teaching and learning.
- Teachers are also encouraged to experiment with teaching practices that engage more students in learning.
- Schools that have been successful at reducing the achievement gap have several practices in common, including such practices as being developmentally responsive and focusing on small learning communities. Additionally, staff members have stable, close and respectful relationships amongst themselves as well as with students and provide comprehensive guidance services. Finally, successful schools ensure that students talk with counselors several times about which classes to take to ensure they reach their future goals and provide teacher mentors who assist students in determining their educational goals and educational plans for high school and beyond.
- Successful schools have all children being taught by able, well-prepared, experienced teachers. The quality of teachers assigned to students may be the most powerful influence on student achievement. Yet minority and disadvantaged students are regularly assigned less qualified, less experienced teachers than are white or more affluent

students. Some studies suggest that equalizing teacher assignment patterns could eliminate nearly all of the gap not attributable to poverty and its correlates.

- Involving families in school has a positive effect on student achievement and the research for effective ways to involve families is ongoing. Race, ethnic group, and class are among the identified major historical barriers to effective family involvement.
- Students who are at-risk often come to school behind their peers. Students must be provided more time to be taught what they have not already learned. Several choices exist: provide extended time programs once the students are in school—such as before or after school time, summer school, or even weekend school—and/or preventive programs such as early childhood, four-year old at-risk, preschool or other daycare programs that enable each child to enter kindergarten literate and ready to learn. Finally, time should be viewed as a variable with the expectations and standards for all students the constant. Effective practices include such strategies as there are no grade levels; students progress at their own pace; schools open at varying times; graduation is based on academic attainment not course credit; there are longer and varied blocks of instructional time; and there are transitional years of schooling.

Funding Systems of At-Risk Programs in Other States

Dale Dennis presented the following information about how other states fund at-risk programs. The information was compiled by the Education Commission of the States. The following tables describe the funding systems of at-risk programs in 19 randomly selected states. The data in the first table indicate if a state includes funding for at-risk programs in the state's foundation formula and how students are identified. The second table lists the various programs in these states, the level of funding and how students are deemed eligible.

**At-Risk Student Funding Systems in
Selected States State Categorical Aid**

State	Program Name	Categorical Funding Level	Identification for Categorical Funding
California	Economic Impact Aid	\$426,928,000	Children age 5-17 receiving AFDC and LEP Students
Florida	Supplemental Academic Instruction	\$662,632,143	Funds for projects targeted to "help students gain at least a year of knowledge for each year in school"
Georgia	Special Instructional	This program was	K-3 students likely to have
Georgia	Remedial Education Program	\$71,447,992	Students in grades 2-5 and 9-12 who are deficient in reading, math or writing.
Indiana	Early Intervention Program	\$3,990,000	Provides grants to school districts to fund reading programs for students who are at risk of not learning to read.
Massachusetts	Essential Skills Grants	\$0	Students from families on AFDC
Massachusetts	Academic Support Grants	\$18,930,700	Students with low test scores
Michigan	At-Risk Pupils	\$304,000,000	Students receiving free/reduced lunch
Missouri	Children At-Risk in Education	\$333,000,000	Students receiving free/reduced lunch
Missouri	Remedial Reading	\$11,096,925	Students with low test scores
New York	Extraordinary Needs Aid	\$677,700,000	Students receiving free/reduced lunch or students with low test scores (grades 3 and 6)
New York	Educationally Related Support Services Aid	\$70,900,000	Students are referred for services by school building administrator
New York	Aid for Summer School Programs	\$35,100,000	The program must provide help to students in required academic subjects or on the Regents exam
New York	Attendance Improvement/ Dropout Prevention	\$55,500,000	Districts with attendance in the bottom decile for the state
New York	Compensatory Education	\$262,500,000	Districts that are in the top quartile of need, based on state testing

North Carolina	At-Risk Student Services	\$186,313,299	Students in treatment, poverty and ADM
North Carolina	Improving Student Account.	\$39,015,255	Students with low test scores (grades 3-8)
North Dakota	None	NA	NA
Ohio	Disadvantaged Pupil Impact Aid	\$305,367,571	Students with families enrolled in the "Ohio Works First" (the state's welfare program)
Oregon	None	NA	NA
Pennsylvania	None	NA	NA
South Dakota	None	NA	NA
Tennessee	None	NA	NA
Texas	Compensatory and Accelerated Instruction	\$9,600,000	Low academic achievement, pregnant/parent, LEP and abused
Washington	Learning Assistance Program	\$62,276,834	Students with low test scores (grades 4 and 8 based on a five-year average)

**At-Risk Student Funding Systems in Selected States
State Foundation Formulas**

State	At-Risk Funding in the Foundation Formula	Identification for Foundation Formulas	Distribution for Base Funding
California	None	NA	NA
Florida	None	NA	NA
Georgia	Yes	Students in remedial	Identified students are
Illinois	Yes	Percent of students in poverty living in the district	Per-student funding ranges from \$800 to \$2,050 based on the percentage of students living in poverty

Indiana	Yes	Families with children below poverty level, single-parent families and adults who are high school drop-outs	Funded at \$3,522 per student
Massachusetts	Yes	Per-student based on free and reduced lunch	Additional per-student funding of \$2,228 -elementary, \$1,794-high school
Michigan	None	NA	NA
Missouri	Yes	Per-student based on free and reduced lunch	\$655 per identified student
New York	Yes	Percentage of students below minimum competency on 3rd and 6th grade test	Identified students are provided with an extra .25 weight
North Carolina	None	NA	NA
North Dakota	None	NA	NA
Ohio	None	NA	NA
Oregon	Yes	Pregnant and parenting, students in poverty, neglected and delinquent and students in foster homes all receive additional weights	Additional weights: P&P (1.00), S in P (.25), N&D (.25) and S in FH (.25) max weight 2.0
Pennsylvania	Yes	If more than 10% of students age 5-17 are on AFDC	\$50 per AFDC student
South Dakota	None	NA	NA
Tennessee	None	NA	NA
Texas	None	NA	NA
Washington	None	NA	NA

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Public Comments

The At-Risk Council took public comments about the Council's responsibilities at the April 2006 meeting. Senator John Vratil quoted the Legislative Post Audit study that questioned the relationship between funding and services, and the finding that the state's basis for funding at-risk services has little relationship to the number of students who receive at-risk services. Senator Vratil explained that he believes the definition of at-risk students should be changed to one who is not proficient in either reading or math, which would be an objective standard.

A representative of rural Kansas schools pointed out the fact that all the districts cited by Legislative Post Audit were spending more on at-risk students than the state provided in at-risk funding. In addition, the representative requested that rural schools not be penalized but that larger districts be helped to close the achievement gap.

A representative of USD 500, Kansas City, Kansas, mentioned that it is a disturbing fact that the State of Kansas is currently not adequately meeting the education needs of larger numbers of poor children. Implementation of the Post Audit Report would result in thousands of Kansas kids realizing their individual potential. The representative explained that the district supports a broadening of the definition of an at-risk child for the purpose of securing state funding; however the endorsement was contingent on retaining the current method based on qualification for free lunch and then adding other students who are in need of at-risk services. A representative of USD 259, Wichita, encouraged support for the Post Audit Report on at-risk recommendations; requested expansion of the current definition to include reduced lunch students; and requested maintenance of the current weighted driven distribution of funds.

The Superintendent of USD 305, Salina, noted that there is a high correlation between the economic status of a child and his or her academic success. He also stated that the current at-risk programs are yielding solid

results; however, they need to be expanded, not reduced. A Associate Superintendent of USD 501, Topeka, noted that it is known that there are failing students everywhere; however, there is a higher rate of failure in those schools and districts with a predominance of students on free and reduced lunch.

A representative of the Kansas Association of School Boards provided the following list of recommendations:

- Include funding for all-day kindergarten in the finance formula;
- Significantly increase funding for at-risk programs, to a weighting of at least 0.25;
- Broaden the criteria for providing at-risk funding to factors in addition to poverty;
- Allow greater flexibility in using at-risk funds, as long as acceptable outcomes are met;
- Base accountability on results;
- Support professional development for teachers, administrators, and school board members;
- Repeal the "65% for instruction" state goal;
- Encourage best practices and innovation; and
- Encourage outstanding teachers to work with at-risk students.

Additional Information

At the Council's May meeting, Commissioner Corkins indicated that he would be sending information relating to charter schools as a good delivery system for serving at-risk students. The Commissioner submitted a report that included information from the U.S. Department of Education describing the purpose of charter schools, the focus that many charters provide in serving

at-risk students, and the rubric used by the U.S. Department of Education in evaluating the effectiveness of charter schools. Finally, he included tables and graphs describing the status of Kansas charter school funding with some context explanations.

CONCLUSIONS AND RECOMMENDATIONS

The At-Risk Council makes the following recommendations and draws the following conclusions:

Conclusions

- The Council continues to believe that the best state proxy for identifying at-risk students is poverty, whether that be measured by free or free and reduced price lunches.
- The Council notes that student achievement on state assessments has improved in elementary and middle schools but little at the high school level. The Council believes that there needs to be a better understanding of the achievement gap at the secondary level to include examination of dropout, graduation, and attendance rates.
- The Council believes that a single tool, such as state assessment scores, is too narrow to determine if a child is at risk.
- The Council believes that the Kansas State Department of Education criteria for serving at-risk youth that are required for school district plans are appropriate but need periodic adjustment based on new research.
- The Council affirms the work of the Kansas Legislature and Governor in differentiating at-risk funding with the core funding being decided on poverty and the second level of funding taking density into account. The Council believes that the third level of funding at-risk students based only on student proficiency on the state assessments for those who are not on the free lunch program is an interesting and potentially effective approach that needs further study.
- The Council concludes that at-risk students need the most qualified teachers and that this is not occurring in many schools, especially at the secondary level.
- The Council concludes that there is a teacher shortage in selected subjects and geographic areas and that the problem of recruitment and retention must be addressed.
- The Council supports the state database project being developed by the Kansas State Department of Education to include both student and teacher information.
- The Council concludes that periodic studies of effective at-risk programs and strategies need to be conducted at the recommendation of the 2010 Commission.
- The Council believes that comprehensive social support is vital to ensure the success of at-risk students and that the statute requiring an integrated social support system must be implemented and maintained in an effective and efficient manner in all districts.
- The Council believes that an evaluation of charter schools is needed to determine lessons learned and areas in need of improvement. A part of the new federal charter school grant recently received by the Kansas State Department of Education requires such an evaluation. Therefore, the Council hopes that the 2010 Commission will utilize the results to identify what has been learned in the operation of charter schools that might be informative for all public schools and to determine needed adjustments in charter school statutes or policies.
- The Council believes that at-risk students should be encouraged to seriously consider continuing education after high school and provided access to programs that will enable the students to pursue a

career path, whether it be vocational, technical, community college or university, which will allow the students to be successful members of society.

Recommendations

- The Council recommends that the second level of funding for at-risk students, which is the high density formula, be based on the prior year's data and implemented using a linear transition calculation. The Council believes that the density formula needs to be reviewed periodically to ensure that it is taking into account all areas of the state and that it is adding value to student learning.
- The Council affirms that the third level of funding, Non-Proficient At-Risk Weighting, be for students who are below proficiency and not on free lunch. Also, the Council recommends that the 2010 Commission study the impact of this provision and the formula which distributes the funding should be simplified if the weighting remains in effect beyond its current statutory termination date of June 30, 2007. Further, the Council notes that the student improvement team practice currently utilized in the schools should be helpful in identifying the results of this initiative.
- The Council recommends the continued support of the data system being developed and implemented by the Kansas State Department of Education as a critical

component in the ongoing understanding of the achievement gap of at-risk students. Furthermore, the Council supports the implementation of 2006 SB 549 which requires the State Department of Education to provide performance and financial accountability for the use of at-risk funding.

Additionally, the Council recommends that the Kansas State Department be supported in its efforts to be a resource for schools in identifying successful programs and strategies for helping at-risk students.

- The Council recommends that the Department of Education periodically reevaluate the existing criteria for the determination of a student to be in need of at-risk services to include consideration of the use of at-risk funds on specific professional development to serve at-risk students such as behavior management training.
- The Council recommends that the 2010 Commission authorize follow-up studies on early career teachers who leave the profession to determine what factors contribute to their leaving, as well as, successful practices needed to recruit and retain highly qualified teachers.
- The Council recommends that the 2010 Commission authorize a study to determine the factors contributing to the achievement gap and lack of progress in student achievement at the high school level.