K-12 Education: Evaluating At-Risk Student Counts, Weights, and Expenditures

December 2019
Introduction

2018 Substitute for Senate Bill 423 requires this audit, which the Legislative Post Audit Committee authorized at its April 30, 2019 meeting.

Objectives, Scope, & Methodology

Our audit objective was to answer the following questions:

1. How does the method Kansas uses to count the number of at-risk students in a district compare to other methods?

2. How does the funding school districts receive through at-risk and high-density at-risk student weightings compare to what districts spend to provide services to those students?

3. Has at-risk funding been calculated in accordance with state law and how do districts spend that funding?

Our work covered at-risk funding and expenditures for the 2018-19 school year. We reviewed state law and evaluated Kansas State Department of Education (KSDE) guidance to school districts. We also interviewed stakeholders and visited school districts. Last, we analyzed district expenditures and KSDE funding data.

We reviewed expenditures for a selection of 20 out of 286 school districts. We chose these districts to get a reasonable cross-section of school districts. For those 20 districts, we reviewed $5.1 million out of $161.7 million in expenditures for appropriate use. We selected expenditures that represented the variety of expenditures districts make. The results from these 20 districts gave us a good sense of districts’ at-risk expenditures. However, these results should not be projected to all districts because we did not randomly select them.

More specific details about the scope of our work and the methods we used are included throughout the report as appropriate.

Important Disclosures

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. Overall, we believe the evidence obtained provides a reasonable basis for our findings and conclusions based on those audit objectives.

Audit standards require us to report our work on internal controls relevant to our audit objectives. They also require us to report deficiencies we identified through this work. The results of that work are detailed in this report. In this audit, we reviewed
KSDE's process for calculating at-risk funding and for reviewing the programs and practices the board approves for at-risk programs and students. We also reviewed the department's audit procedures to ensure they were sufficient to identify data inaccuracies.
Most of the 20 districts we reviewed reported spending more to provide at-risk services than they received in state at-risk funding.

In 2018-19, the state provided $413 million in dedicated funding for school districts to deliver services to students at risk of academic failure.

- Districts receive additional state funding to help students who are at risk of academic failure.

- This at-risk funding is based on the number of students in the district who are eligible for a free lunch through the National School Lunch Program (NSLP). Additionally, to be eligible for at-risk funding a student must be under the age of 20 and a full-time student.

- At-risk funding is calculated using a weighting. The number of eligible students in the district is multiplied by a weight of .484. That number is then multiplied by the base state aid per pupil ($4,165 in 2018-19). In 2018-19 state at-risk funding for all districts totaled $362 million.

- The state also provides additional funding to districts with 35% or more of its students eligible for free lunch. This additional funding is known as high-density at-risk funding. In the 2018-19 school year, the state provided $51 million in high-density funding to school districts. For this report, we will refer to both at-risk and high-density at-risk funding as at-risk funding. Combined, at-risk funding totaled $413 million in the 2018-19 school year.

- At-risk funding has increased substantially over the past 15 years. It was $111 million in 2005 and is now $413 million.

The 20 districts we reviewed received $125 million in state at-risk funding but reported spending $162 million to provide at-risk services.

- We chose 20 out of the state’s 286 school districts to review. We chose these districts for variety in location, size, and percent of students eligible for free lunch. These districts represent 30% of the state’s total at-risk funding. This sample is not projectable because we did not randomly select the districts.

- Although the way at-risk funding is calculated is consistent across the state, what districts consider to be at-risk spending varies across districts. For example, one district might consider federal Title I (a program to help students in poverty meet state academic standards) spending as at-risk spending, but another might not. This inconsistency could result in some variation in spending across school districts.
• We worked with our selected school districts to identify their at-risk expenditures. We did not include spending from certain dedicated funding sources, such as state and federal funds for English language learners. We excluded these types of funding because they are meant for a specific set of students and have their own spending rules. However, overlap between at-risk students and other types of students, such as English language learners, is common.

Figure 1
Most districts reported spending more to provide at-risk services than they received in state at-risk funding.

<table>
<thead>
<tr>
<th>District</th>
<th>Total At-Risk Expenditures (a)</th>
<th>Total At-Risk State Funding</th>
<th>Ratio of State Funding to Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blue Valley</td>
<td>$2,157,054</td>
<td>$5,430,869</td>
<td>39.7%</td>
</tr>
<tr>
<td>Atchison County</td>
<td>$316,540</td>
<td>$735,840</td>
<td>43.0%</td>
</tr>
<tr>
<td>Inman</td>
<td>$161,186</td>
<td>$363,408</td>
<td>44.4%</td>
</tr>
<tr>
<td>Fort Leavenworth</td>
<td>$137,029</td>
<td>$283,222</td>
<td>48.4%</td>
</tr>
<tr>
<td>Topeka</td>
<td>$20,133,194</td>
<td>$34,091,407</td>
<td>59.1%</td>
</tr>
<tr>
<td>Weskan</td>
<td>$50,397</td>
<td>$76,386</td>
<td>66.0%</td>
</tr>
<tr>
<td>Great Bend</td>
<td>$3,861,372</td>
<td>$5,179,334</td>
<td>74.6%</td>
</tr>
<tr>
<td>Andover</td>
<td>$1,298,231</td>
<td>$1,699,234</td>
<td>76.4%</td>
</tr>
<tr>
<td>Coffeyville</td>
<td>$2,997,551</td>
<td>$3,792,595</td>
<td>79.0%</td>
</tr>
<tr>
<td>Ellsworth</td>
<td>$308,627</td>
<td>$387,146</td>
<td>79.7%</td>
</tr>
<tr>
<td>Wichita</td>
<td>$80,459,470</td>
<td>$95,754,285</td>
<td>84.0%</td>
</tr>
<tr>
<td>Liberal</td>
<td>$8,012,211</td>
<td>$8,984,885</td>
<td>89.2%</td>
</tr>
<tr>
<td>Caldwell</td>
<td>$272,391</td>
<td>$284,432</td>
<td>95.8%</td>
</tr>
<tr>
<td>Ulysses</td>
<td>$1,952,969</td>
<td>$2,006,328</td>
<td>97.3%</td>
</tr>
<tr>
<td>Wakeeny</td>
<td>$205,751</td>
<td>$207,032</td>
<td>99.4%</td>
</tr>
<tr>
<td>St. Francis</td>
<td>$159,103</td>
<td>$159,512</td>
<td>99.7%</td>
</tr>
<tr>
<td>Elkhart</td>
<td>$378,599</td>
<td>$379,291</td>
<td>99.8%</td>
</tr>
<tr>
<td>Victoria</td>
<td>$82,467</td>
<td>$82,467</td>
<td>100.0%</td>
</tr>
<tr>
<td>Oberlin</td>
<td>$226,993</td>
<td>$226,339</td>
<td>100.3%</td>
</tr>
<tr>
<td>Wellington</td>
<td>$1,586,032</td>
<td>$1,560,674</td>
<td>101.6%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$124,757,167</td>
<td>$161,684,686</td>
<td>77.2%</td>
</tr>
</tbody>
</table>

(a) Includes expenditures made from federal, local, and state funding sources.
Source: LPA analysis of school district accounting records (audited).

• As Figure 1 shows:
  o 20 districts reported spending nearly $162 million on at-risk services in 2018-2019. That is about $2,700 spent for every at-risk student served. However, spending varied widely across districts, ranging from $948 to $5,040 per student.
Overall, state at-risk funding covered 77% of those 20 districts’ spending. The state provided $125 million in at-risk funding to these 20 districts. That is about $2,100 per at-risk student. 12 of the 20 districts we reviewed reported spending at least 5% more on at-risk services than they received in state at-risk funding.

- Additionally, the districts reported using other state, local, or federal funds to make up the difference between what they spent and what they received in state at-risk funding. In our sample, districts spent about $37 million from these other funds ($28 million from state and local funds and $9 million from federal funds). Most of the federal spending was from funding meant to help students in poverty meet state standards.

- State law does not set a percentage of expenditures that state at-risk funding should cover. For example, state law sets an expectation that the state will pay 80% of a district’s special education transportation expenditures. State law does not establish a similar benchmark for at-risk funding.

Most districts serve more students than they received state funding for because funding is not tied to services.

- The number of students eligible for a free lunch determines how much at-risk funding a district receives.

- However, districts determine which students will receive at-risk services based on more factors than just poverty. Student attendance, academic performance, and a student’s social and emotional needs are often considered. Districts also use teacher referrals, state assessments, and other academic test results to identify at-risk students.

- As Figure 2 shows, the 20 districts we evaluated served an average of about 16% more students than they received funding for. However, that percentage varied widely across districts. Blue Valley served 237% more students than it received funding for. Conversely, St. Francis served almost 50% fewer students than it received funding for.

- State at-risk funding does not require that the students who generate at-risk funding be the students that receive at-risk services. Which students receive services and the type of services they receive are at the districts’ discretion.
In our sample of 20 districts, most at-risk spending was used for teachers and programs for all students and did not appear to specifically address at-risk students as required by state law.

Districts serve at-risk students through a variety of programs and practices.

- Districts report the at-risk programs and practices they use to KSDE. Figure 3 shows the specific types of services the 20 districts reported they offer at-risk students.

<table>
<thead>
<tr>
<th>District</th>
<th># Students Funded</th>
<th># Students Served</th>
<th># Difference</th>
<th>% Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Blue Valley</td>
<td>1,070</td>
<td>3,609</td>
<td>2,539</td>
<td>237.3%</td>
</tr>
<tr>
<td>Fort Leavenworth</td>
<td>68</td>
<td>178</td>
<td>110</td>
<td>161.8%</td>
</tr>
<tr>
<td>Victoria</td>
<td>41</td>
<td>87</td>
<td>46</td>
<td>112.2%</td>
</tr>
<tr>
<td>Andover</td>
<td>644</td>
<td>1,247</td>
<td>603</td>
<td>93.6%</td>
</tr>
<tr>
<td>Ellsworth</td>
<td>153</td>
<td>252</td>
<td>99</td>
<td>64.7%</td>
</tr>
<tr>
<td>Elkhart</td>
<td>169</td>
<td>278</td>
<td>109</td>
<td>64.5%</td>
</tr>
<tr>
<td>Weskan</td>
<td>25</td>
<td>39</td>
<td>14</td>
<td>56.0%</td>
</tr>
<tr>
<td>Inman</td>
<td>80</td>
<td>122</td>
<td>42</td>
<td>52.5%</td>
</tr>
<tr>
<td>Wichita</td>
<td>32,798</td>
<td>37,086</td>
<td>4,288</td>
<td>13.1%</td>
</tr>
<tr>
<td>Topeka</td>
<td>8,207</td>
<td>9,197</td>
<td>990</td>
<td>12.1%</td>
</tr>
<tr>
<td>Ulysses</td>
<td>796</td>
<td>866</td>
<td>70</td>
<td>8.8%</td>
</tr>
<tr>
<td>Wellington</td>
<td>695</td>
<td>758</td>
<td>63</td>
<td>9.1%</td>
</tr>
<tr>
<td>Coffeyville</td>
<td>1,222</td>
<td>1,307</td>
<td>85</td>
<td>7.0%</td>
</tr>
<tr>
<td>Great Bend</td>
<td>1,574</td>
<td>1,670</td>
<td>96</td>
<td>6.1%</td>
</tr>
<tr>
<td>Oberlin</td>
<td>110</td>
<td>112</td>
<td>2</td>
<td>1.8%</td>
</tr>
<tr>
<td>Atchison County</td>
<td>157</td>
<td>146</td>
<td>(11)</td>
<td>(7.0%)</td>
</tr>
<tr>
<td>WaKeeney</td>
<td>102</td>
<td>88</td>
<td>(14)</td>
<td>(13.7%)</td>
</tr>
<tr>
<td>Caldwell</td>
<td>118</td>
<td>100</td>
<td>(18)</td>
<td>(15.3%)</td>
</tr>
<tr>
<td>Liberal</td>
<td>3,266</td>
<td>2,458</td>
<td>(808)</td>
<td>(24.7%)</td>
</tr>
<tr>
<td>St. Francis</td>
<td>79</td>
<td>40</td>
<td>(39)</td>
<td>(49.4%)</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>51,374</strong></td>
<td><strong>59,640</strong></td>
<td><strong>8,266</strong></td>
<td><strong>16.1%</strong></td>
</tr>
</tbody>
</table>

Source: LPA analysis of KSDE documents (audited) and school district reports submitted to KSDE (unaudited).
As the figure shows, every district provided in-class assistance. This type of assistance can include one-on-one or small group instruction provided by a classroom teacher or paraprofessional. Additionally, many districts offered high school credit recovery courses. These courses allow high school students to take additional courses to catch up so they can graduate on time.

Districts in our sample with more poverty (at least 35% of students eligible for a free lunch) offered a greater variety of services. On average, these higher poverty districts offered five services. Lower poverty districts offered only two services, on average. This is likely because higher poverty districts receive more funding and have a greater need to provide more services.

Most of the at-risk expenditures we reviewed were for classroom teachers and paraprofessionals.

- Of the $162 million the 20 districts reported spending on at-risk services, $156 million (96%) was for staff salaries and benefits.

- Of the 4,000 staff districts reported, 3,650 (91%) were classroom teachers or paraprofessionals. Figure 4 shows the types of staff districts used at-risk funds for.
As the figure shows, 82% were teachers and about 9% were paraprofessionals. Districts also used at-risk funds to pay non-teaching staff such as counselors and instructional coaches (staff who work with teachers to improve their teaching skills).

In some cases, the staff member was paid for entirely with at-risk funds. In other cases, the district paid only a part of the salary using at-risk and used other funding, such as general or local funding, to pay for the remainder.

19 of the 20 districts we reviewed used at-risk funds to pay for classroom teachers. This included teachers who teach core classes such as math, English, or science. Most districts also reported using at-risk funds to pay for teachers who teach elective courses such as band, choir, and physical education.

Most of the at-risk funding we reviewed was spent on teachers and programs that serve all students rather than focusing on at-risk students.

Based on state statute and KSDE documents, at-risk funding is meant to provide at-risk students with additional educational opportunities and services to meet state educational outcomes. The department provides
guidance to school districts that noted that these services should be “above and beyond” what is offered to all students. Further, state law provides dedicated funding above the base state aid to help districts pay for these additional services.

• For the 20 districts we reviewed, most at-risk funds were used for regular classroom teacher salaries. KSDE does not require teachers to track the amount of time they spend providing services to at-risk students. Instead, KSDE guidance allows district to use at-risk funds to pay teacher salaries in proportion to the number of at-risk students. For example, if a school has 30% of students identified as at-risk, then 30% of classroom teacher salaries may be paid with at-risk funds.

• All 20 districts reported they provide in-class assistance to their at-risk students. For example, breaking students into small groups based on skill level so that teachers can address specific needs. Additionally, many districts told us although these teachers teach all students in the classroom, they use programs and practices that are helpful for at-risk students. Last, based on what the districts and staff at KSDE told us, in-class assistance delivered by the regular classroom teacher is the primary way at-risk services are delivered to students.

• We reviewed 29 programs and practices districts told us they were using on the What Works Clearinghouse (WWC). We did this to determine whether the practices and programs districts use were designed to meet the needs of at-risk students. KSDE lists the WWC as a resource on their website that school districts can use to identify evidence-based practices. The WWC is affiliated with the federal Department of Education and provides information on existing research for educational programs and practices. Not all programs and practices on the website have been found to be effective.

  o We found that only 9 (31%) of the 29 programs and practices districts told us they were using were specifically designed for at-risk students. Our review does not cover all programs or practices school districts use. It only includes those that the selected districts reported using and that the WWC has reviewed.

  o The other 20 (69%) programs and practices districts told us they used for at-risk students were also for general education. For example, the “Lexia” program provides basic reading skills instruction. Although this program may provide some assistance to struggling readers, many districts use this tool to help all students learn to read.

Many of our selected districts’ at-risk programs and practices lacked strong research finding that they are effective.

• We used the What Works Clearinghouse (WWC) to review the effectiveness of a selection of programs districts told us they use. Our review did not cover all
programs or practices school districts use. It only includes those that the WWC has reviewed.

- **Only 3 of the 29 programs and practices were proven to be effective.**
  - 3 (10%) showed clear positive effects
  - 11 (38%) showed potentially positive effects
  - 15 (52%) showed either no effect or mixed results

- **According to the WWC, some of the most common programs districts told us they used for at-risk students had little to no effect on improving student outcomes.** These include programs such as Lexia and Accelerated Reader, which are literacy programs. For example, Lexia showed potentially positive effects in reading comprehension but no effect on reading fluency.

- **Many districts told us they used their at-risk funding to achieve smaller class sizes, but that practice has only limited success according to several studies.** Districts told us they use at-risk funds to pay for classroom teachers so they can keep class sizes smaller. As a result, we reviewed several studies examining the effect of small class sizes on student performance. Based on our research, we found two important things:
  - Research found positive effects for small class sizes in Kindergarten through the 3rd grade. Students in poverty in these grades especially benefited from small class sizes. However, the results were inconclusive when looking at grades 4 through 12.
  - Research noted that small changes in class size were unlikely to produce positive results. In other words, reducing class size from 25 students to 22 students is unlikely to improve student performance. Class sizes need to have 15 or fewer students to produce academic benefits to students. We did not review class sizes in the districts included in this audit.

**A small portion of our 20 selected districts’ expenditures were not directly related to at-risk students or programs.**

- We reviewed about 180 expenditures totaling a little more than $5 million (out of $125 million in state at-risk spending). The results from this work are not projectable to all districts or all district spending because we did not choose the expenditures randomly. They were chosen to provide a wide variety in the expenditures we reviewed. Further, we excluded federal funding from this review because federal spending rules differ from state law. Last, we took reasonable steps to isolate and review only expenditures that were likely spent from state at-risk funding.
Figure 5 shows the expenditures made using at-risk funds that were not directly related to at-risk students or programs. As the figure shows, about $191,000 (about 4% of the expenditures we looked at) in at-risk spending was not related to at-risk programs. In some cases, the expenditure was for items available to all students. These included math books and computers. In other cases, the expenditure was not directly related to an at-risk program such as playground equipment and an athletic trainer.

We reviewed these expenditures prior to the department’s review of district expenditures. The department’s review is a high-level review based on the programs or practices the district reported using their at-risk funds on. As a result, we think it is unlikely that the department would identify the expenditures we noted above. However, department officials told us when they find inappropriate expenditures they require the district to re-assign that expenditure to a different funding type.

<table>
<thead>
<tr>
<th>Description</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Google chromebooks</td>
<td>87,000</td>
</tr>
<tr>
<td>Nurse's salary</td>
<td>26,159</td>
</tr>
<tr>
<td>Athletic trainer's salary</td>
<td>25,435</td>
</tr>
<tr>
<td>Teen court</td>
<td>20,686</td>
</tr>
<tr>
<td>Playground equipment</td>
<td>13,875</td>
</tr>
<tr>
<td>Math and reading books</td>
<td>7,673</td>
</tr>
<tr>
<td>Printing services</td>
<td>1,950</td>
</tr>
<tr>
<td>Software license</td>
<td>1,500</td>
</tr>
<tr>
<td>Supplies for school nurse</td>
<td>1,302</td>
</tr>
<tr>
<td>Projector</td>
<td>1,280</td>
</tr>
<tr>
<td>Cell phone for school resource officer</td>
<td>907</td>
</tr>
<tr>
<td>Postage</td>
<td>864</td>
</tr>
<tr>
<td>Food service supplies</td>
<td>605</td>
</tr>
<tr>
<td>Security system monitors</td>
<td>508</td>
</tr>
<tr>
<td>After prom party donation</td>
<td>500</td>
</tr>
<tr>
<td>Copy machine contract</td>
<td>158</td>
</tr>
<tr>
<td>Professional development</td>
<td>72</td>
</tr>
<tr>
<td>Summer school incentives</td>
<td>50</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>190,525</strong></td>
</tr>
</tbody>
</table>

Source: LPA review of school district at-risk expenditures.
KSDE has not approved strong at-risk practices or provided districts with good guidance on at-risk spending.

Most of the at-risk practices approved by the Kansas State Board of Education did not target at-risk students and were not clearly evidence-based.

- K.S.A. 72-5153 directs the state board of education to identify and approve evidence-based practices for at-risk programs and for the instruction of at-risk students. State law requires the board to review and update those practices every five years. However, department staff compile the practices and programs and maintain a webpage that includes the approved practices.

- We reviewed the at-risk programs and practices the board approved to make sure they complied with two criteria in state law. The first criteria requires that approved practices be for at-risk programs or for the instruction of at-risk students. The second requires those programs and practices to be evidence-based. Most of the programs and practices the board approved did not meet either criteria:
  - **Most of the approved practices and programs are not related to at-risk programs or at-risk students as required by state law.** Many of the items appear to be good practices or resources for teaching generally. For example, the website has practices related to how to encourage students' civic engagement, for teaching the science standards, and for special education. The department has also included best practices for writing instruction and Common Core math. **Appendix B** provides more examples of the resources the department has identified and the board has approved.

    KSDE staff told us that if a practice was good for all students then it would be good for at-risk students. However, at-risk students need services that are above and beyond what are available to all students. According to statute, the practices the board is supposed to identify and approve are programs and practices related to the instruction of at-risk students.

    **KSDE staff could not produce research to show that the approved items were evidence-based.** The department also lacks a process to review educational literature for practices or programs to include.

    Staff told us they rely on school districts and professional organizations to provide research because they do not have enough staff to compile and review the research.

- We reviewed the approved practices and programs and found some additional concerns.
The website is a series of 83 different hyperlinks to click on making it difficult to use. Further, many of the web links open to long lists of other resources making it time consuming to locate appropriate practices or programs. For example, one hyperlink lead to a list of 62 ways to use science, technology, engineering, and math (STEM) in the classroom. Districts told us they had difficulty finding what they were looking for.

In some cases, it is difficult to determine what the practice is. For example, one hyperlink lead to an interim report for a national commission. The report mostly highlighted the commission's accomplishments. Other hyperlinks lead to KSDE information on other parts of their website. For example, one link leads to the state's language arts standards. Any evidence-based practices for at-risk students were not obvious.

Last, it is unclear which practices or programs the board has approved. For example, the webpage includes links to general resources such as the What Works Clearinghouse (WWC). The WWC includes information for hundreds of programs and practices, some of which evidence shows are effective and some of which are deemed not effective. It is unclear whether a link to a general resource, such as this clearinghouse, indicates that the board has approved every practice or program on that website.

KSDE did not update spending guidance to reflect new requirements for the 2018-19 school year.

In the past, state law did not provide much information on the specific ways districts could or could not spend at-risk funding. To address this, the department provided guidance to districts on how they could spend at-risk funding. For example, KSDE told districts they could spend their at-risk funding on counselors, equipment, and classroom teachers. Further, KSDE prohibited districts from spending at-risk funding on professional development and school resource officers.

The Legislature implemented new spending rules starting with the 2018-19 school year. Beginning that year, districts are only allowed to spend at-risk funding on programs or practices the board has approved. Districts can also spend at-risk funding on the educational personnel and contracted services related to those programs or practices. The new law is silent on whether at-risk funding can be used for certain expenditures such as transportation, supplies, or training.

KSDE staff continued to provide guidance to school districts but did not update it to reflect the new spending restrictions. The guidance document is on the KSDE website. KSDE staff told us they forgot to update the document with this new rule. However, they told us they provided the correct
information to districts on other documents and in the annual training they hold with districts.

These issues likely contributed to many of the problems we found with how districts spent their at-risk funding.

- KSDE’s guidance document to school districts did not mention that the districts could only spend at-risk funds on the programs and practices the board approved. As a result, many districts did not seem to understand that was a requirement. Some districts indicated to us that they could spend funds on any evidence-based practice. Other districts reported spending funding for programs or practices approved for other programs. For example, districts referred to approved programs or practices related to virtual schools, federal programs, and other state programs.

- Districts likely spend most of their at-risk funding on regular classroom teachers because KSDE guidance tells them this is allowable. KSDE allows districts to pay for regular classroom teachers in the same percentage of at-risk students in the building. It is not clear that this meets the purpose of at-risk funding based on the process laid out in state law.

- The board has largely approved a collection of general resources for teaching. We were not able to connect the programs and practices districts told us they used to the items the board has approved. As a result, although we did note concerns about how districts spend at-risk funding, we could not clearly determine whether most at-risk spending complied with state law.

- Last, school districts reported they had problems using the website. Some reported that it was not user friendly and difficult to find what they were looking for. Others reported it did not include programs or practices that were helpful for their students’ unique needs.

**KSDE’s management of the approved at-risk programs reduces effective oversight and makes it more difficult for districts to plan.**

- KSDE staff told us they update the approved practices and programs throughout the school year. Additionally, they add programs or practices at the request of school districts.

- The department’s frequent additions reduce oversight. The department adds programs and practices after the district has already spent funding on those activities. State law only allows districts to spend their at-risk funding on programs or practices the board has approved. By making additions throughout the year and at district request, KSDE allows districts to justify their spending after the fact.

- Although the department should update the approved practices and programs regularly, updates occurring during the school year make it more
difficult for districts to plan. This is because districts need to know what programs and practices they have to choose from when budgeting for the school year. Further, districts should have assurance that the choices they make at the beginning of the year will still be allowable at the end of the year.

**Kansas provides at-risk funding based on a poverty measure similar to most other states.**

Like 30 other states, Kansas uses participation in the National School Lunch Program to identify at-risk students.

- We reviewed a 2016 Education Commission of the States (ECS) report. The report found 43 states provide at-risk funding. Of those 43 states, 38 base at-risk funding on at least one type of poverty measure.
  - 30 used eligibility for free or reduced lunch participation in the National School Lunch Program (NSLP)
  - 4 used Title I (a federal program to help students in poverty meet state academic standards) eligibility,
  - 2 used Medicaid participation, and
  - 2 used Supplemental Nutrition Assistance Program enrollment

- The five states that did not use a poverty measure generally used academic performance to determine at-risk funding levels. The remaining seven states did not provide dedicated at-risk funding to school districts.

**Most other states that use a poverty measure use free and reduced lunch counts.**

- Kansas uses the free lunch count multiplied by a weighting factor to determine at-risk funding for districts.

- 26 of the 30 states the ECS identified as using NSLP participation provide funding for students who qualify for free and reduced-priced meals. We did not compare the weightings or total amount of funding those states provide to Kansas.

- We also contacted four states similar to Kansas to determine how they fund at-risk education. We chose states that were similar in population, income, and poverty. Those states were Nebraska, Nevada, Iowa, and Oklahoma.
  - Of the four other states we looked at, three use free and reduced-price meals as the basis for their funding.
  - Nevada was the exception. It provides at-risk funding to only the 35 poorest schools in the state.
Kansas’ method of basing funding on free lunch counts has strengths and weaknesses.

- Stakeholders, such as school districts and various school district associations, generally thought using free lunch counts was a good measure. This is because NSLP is a stable program with defined criteria not within the districts’ control. Statistics are also readily available and updated each year. Last, poverty is a reasonable proxy measure for how many students may require additional resources to avoid academic failure.

- However, stakeholders noted that free lunch counts might understate the number of at-risk students. This is because some parents are too proud or concerned about their citizenship status to fill out an application for a federal program. Also, the free lunch count does not capture students who may be at-risk but are not in poverty. As previously noted, districts reported providing at-risk services to an average of 16% more students than they received funding for.

- However, the free and reduced lunch count verification process has significant weaknesses that could inflate the count:
  - **Parents do not have to submit proof of their income with their applications.** Parents self-report their income and family size on the application. Federal law generally prohibits districts from requiring proof of income upon initial approval of the application. As a result, districts approve families that meet income eligibility without any proof of income.
  - **Federal rules make it difficult for districts to verify eligibility.** By federal rule, districts can only verify income for 3% of applicants who are within $100 of the eligibility limits. As a result, many school districts verify only a few applications each year. In the 2018-19 school year, 42% (120) of Kansas school districts verified only five or fewer applications for the year.
  - **KSDE auditors do not have access to the income information necessary to audit free lunch eligibility.** As part of their annual audit, KSDE auditors review free lunch applications for signatures and dates. They do not have access to financial information for applicants and are not able to verify the self-reported income or household size information on the application.

- An audit we conducted in 2006 found that 17% of students (about 22,000 students) approved for free lunch were not eligible. The audit also estimated that about 7,000 students who were not receiving a free lunch were likely eligible for the program.

- We identified a number of audits from other states that found fraud in the program. For example, a 2013 audit by the New Jersey Comptroller found 101 public employees had provided false information on their child’s lunch application and that fraud was widespread in 15 school districts.
Stakeholders told us other possible methods, such as using the U.S. Census or academic indicators, also have flaws.

- Stakeholders mentioned basing funding on the U.S. Census, but noted it has flaws. Most significantly, certain students who are more likely to be at-risk, such as migrant students, are often not included in that count. Additionally, the annual numbers the U.S. Census publishes for school districts are estimates and often lag by a year or two.

- The state's counts of at-risk students would decrease from 180,000 to about 68,000 if we used census data. This is largely because the census only counts the number of children who are at or below the federal poverty line. Students are eligible for the free lunch program up to 130% of the federal poverty line.

- Stakeholders also said using academic measures, such as state assessments, can have problems. Doing so often results in reduced funding as students' academic outcomes improve. Students may still need support to continue to succeed, but the district would no longer have the funds to provide that support.

- Stakeholders told us the state could use other measures such as absenteeism or social emotional measures to determine funding. The state would have to define these measures. It would also need to develop a common tool to ensure consistency across districts.

Other findings

For the two years we reviewed, KSDE calculated at-risk funding correctly and in accordance with state law.

- We reviewed KSDE's calculations of at-risk and high-density at-risk for the 2017-18 and 2018-19 school years. In both years, we confirmed the data elements used in the formula, such as the free lunch count and base state aid. We also compared the formula the department used to the formula written in state law.

- In both years, KSDE correctly calculated at-risk and high-density at-risk funding for all 286 school districts.

A sunset provision in state law conflicts with the department's statutory obligation to withhold high-density funding for certain districts.

- K.S.A. 72-5151 requires KSDE to withhold high-density at-risk funding in certain circumstances. Districts are required to use high-density funding only on programs or practices the board has approved. Those who do not and do not show improvement in student outcomes in five years, lose their high-density funding for one year.
• However, state law eliminates high-density at-risk funding starting with the 2021 school year. As a result, there will not be any high-density funding to withhold if KSDE identifies districts who did not spend their funding appropriately.

Conclusion

The state's at-risk funding is intended to provide additional services to students who are not performing adequately in school and are at risk of academic failure. At-risk funding is provided by the state to offer additional programs or services to these students to help them succeed. The state's new requirement that at-risk funding be spent on evidence-based practices is poorly managed at the state level and not adequately implemented at the district level. Specifically, we found districts spent most of their at-risk funds on teachers without assurance the funding targets at-risk students or employs evidence-based practices and programs. That is in part because KSDE has provided districts with unclear, and at times, inaccurate guidance.

Recommendations

1. The department should ensure that any guidance they provide to the districts reflects current state law.

2. The department should establish a process to determine that any identified programs and practices are evidence-based and for at-risk students.

3. The board should more thoroughly oversee the process for identifying at-risk programs and practices.

Agency Response

On November 1, 2019 we provided a copy of the draft audit report to the Kansas Department of Education and the State Board of Education. Additionally, we provided an opportunity for the 20 districts included in this report to submit a written response. This response was optional. One district provided a written response and it is included in this appendix.

During the draft review process, we made minor changes to the draft based on informal feedback from the department. These changes did not affect our findings or conclusions. In their formal response, department and board officials disagreed with a couple findings in the report. Their concerns and our response are
summarized below. We made no changes to our findings based on their response:

- **The department disagreed with our findings related to the effectiveness of smaller class sizes.** We reviewed the article the department included in its response that notes some positive findings for small class size in grades 4 through 12. However, our conclusion that the overall research for small class sizes in the older grades is “inconclusive” is accurate across the broader body of research we reviewed.

- **The department and board also disagreed with our findings that the programs and practices that the board has approved do not comply with state law.** We stand by our conclusion for two reasons:
  
  o State law requires that the approved programs and practices be for at-risk programs and for the instruction of at-risk students. The programs and practices the board has approved are not related to at-risk programs or students. Instead, the board has approved general teaching resources. The department has asserted that if a program or practice is good for all students than it is good for at-risk students. We do not think this view reflects what state law directs the board to do.

  o State law requires the board to approve evidence-based programs and practices. The board asserted that every practice they have approved has been vetted by department staff. We asked to see this research, but department staff provided no evidence of a review. Additionally, the department’s website did not provide any information on the research or evidence supporting the approved programs and practices. As a result, we concluded the board’s approved programs and practices did not comply with this aspect of state law.
November 22, 2019

Mr. Justin Stowe
Legislative Post Auditor
Legislative Division of Post Audit
800 S.W. Jackson Street, Suite 1200
Topeka, KS 66612

Dear Mr. Stowe:

Thank you for the opportunity to review the recent performance audit, K-12 Education: Evaluating At-Risk Student Counts, Weights, and Expenditures. The Kansas State Board of Education (KSBE) and the Kansas State Department of Education (KSDE) agree with the following findings that relate to the scope of work:

1. Kansas provides at-risk funding based on a poverty measure similar to most other states. Although twenty-six (26) states provide at-risk funding based on the number of students who qualify for free and reduced, Kansas’ statutory-determined method relies upon a stable program with defined criteria.

2. The 20 school districts sampled by LPA spent $37 million more on services and programs for at-risk students than they received in at-risk state aid. Page 3 of the audit shows the at-risk state aid was $413 million for 2018-19. According to their budgets, the school districts actually spent $493.7 million to provide services to at-risk students.

3. LPA determined that KSDE calculated at-risk and high-density at-risk funding for 2017-18 and 2018-19 correctly and in accordance with state law.

Our concerns are limited to the following:

On page 18, LPA suggests KSDE should ensure that any at-risk spending guidance provided to districts reflects current state law. This recommendation has to do with a single document that has since been updated. Further, the report does not take into account that since 2017, several other documents and presentations were provided and updated on a timely basis.

LPA also suggests KSDE should establish a process to determine that any identified practices and programs are evidence-based and for at-risk students. KSDE has previously attempted to explain the process by which the KSBE identifies

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and approves such practices. For the benefit of the Committee, we have attached that explanation to this letter.

The Committee may also be pleased to know that on November 13th, 2019, the KSBE appointed a subcommittee of State Board members and KSDE staff to review the process by which practices and programs will be identified in accordance with the 2019 change in state law.

Please feel free to contact Mr. Dale Dennis at ddennis@ksde.org or 785-296-3871 if we can assist you further.

Sincerely,

Kathy Busch          Dale Dennis
Chairwoman,          Deputy Commissioner
Kansas State Board of Education  Kansas State Department of Education

Kansas leads the world in the success of each student.
The Kansas State Board of Education ("State Board") stated its position regarding its identification and approval of evidence-based practices for at-risk students by way of the October 17th letter which is provided here as Exhibit A. The Kansas State Department of Education (KSDE) operates at the direction of the State Board, as dictated by K.S.A. 72-7701, which creates KSDE and places it under the administrative control of the Commissioner of Education as directed by law and by the State Board. In order to comply with the obligations imposed by K.S.A. 72-5153, the State Board directed KSDE to identify and approve the evidence-based practices. The method by which those practices are identified and approved is described below.

KSDE Uses a Two-Step Method of Identifying and Approving Evidence-Based Practices

KSDE approves and verifies the use of At-Risk funds through a two-step process. The agency provides training and technical support as needed. The agency believes district personnel understand this process.

The first part of the process involves the review and approval of the district's Local Consolidated Plan. The Local Consolidated Plan (LCP) is required under the Every Student Succeeds Act of 2015 (ESSA). The purpose of the LCP is for districts to indicate how they plan to spend federal title dollars, including funds for practices and programs for what Kansas defines as at-risk students. This requirement has been in place for years, even prior to ESSA. Since 2018, all districts receiving state At-Risk funds are required to complete a section within their LCP which describes the number of their students meeting the state's definition of an at-risk student, the number of those identified students who were served with state At-Risk funds, the research relied upon by the district in determining their students' specific needs, as well as descriptions of the practices and/or programs on which state At-Risk funds would be spent and the evidence supporting the use of said practices. Districts are required to specifically list and describe the evidence-based practices that were utilized. If KSDE does not identify and approve the practices described by the school's LCP, the whole plan is rejected and districts must adjust their spending to find other practices that are identified and approved.

For example, USD 259 Wichita spent At-Risk funding on summer school, tutoring programs, and after school programs. These are all identified in last year's LCP, which is provided as Exhibit B. Additionally, Wichita used their LCP Annual Report to describe the individualized learning plans, social emotional curriculum and support, community-based learning opportunities, literacy programs, and class size reduction and small group instruction for core curricular classes.

The second part of verifying and approving at-risk spending occurs during KSDE's fiscal audits. Starting with 2018-19, state law requires KSDE to audit high-density at-risk spending. KSDE auditors are examining state districts' LCPs and approval of At-Risk spending. The auditors will also verify that the percentage of employees' salaries paid for with At-Risk funds does not exceed the percentage of enrolled students which meet the state's definition of "at-risk". If a KSDE audit reveals an expenditure which does not conform to or otherwise support the evidence-based practices approved with the LCP, KSDE
requires the district to reimburse the at-risk funds from its general state aid in the amount equal to what was improperly spent.

The State Board and KSDE Staff are Uniquely Qualified to Identify and Approve Evidence-Based Practices

Pages 6 through 11 of the recent performance audit titled K-12 Education: Evaluating At-Risk Student Counts, Weights, and Expenditures ("LPA Audit" or "Audit") highlight certain expenditures which Legislative Post-Audit believes are not appropriate and not within the intent of the 2018-2019 version of K.S.A. 72-5153. It is worth noting that as of the LPA Audit, KSDE had not yet had the opportunity to perform its statutorily authorized fiscal audit. KSDE is currently auditing school districts as scheduled this year. KSDE believes it was premature of the LPA Audit to allege schools are spending their at-risk funds contrary to the intent of state law. Any errors in accounting will be found by KSDE and corrected by the districts.

KSDE also disagrees with claims made on pages 9-11 of the LPA Audit regarding the quality and effectiveness of certain identified and approved evidence-based practices. KSDE believes it is actually the responsibility of the State Board – as subject-matter experts – to identify and approve the evidence-based at-risk programs. For example, the Audit calls into question whether it is appropriate to spend at-risk funding on classroom teachers and/or decreasing classroom sizes. However, at-risk students are regular education students and receive the majority of their at-risk supports in a regular education classroom by a regular education teacher and support staff including tiered-interventions, personalized learning, differentiated instructional strategies, and at-risk support programs. It is our understanding that the intent of the law was to provide evidence-based best practices to students in the regular educational setting along with specific at-risk programs, such as, summer school, before school, and after school programs. Wichita’s LCP is an excellent example of how the funds may be spent in both regular education classes as well as in external, pull-out programs.

Contrary to the LPA Audit, there is recent research supporting practices such as reducing classroom sizes. On page 10, the Audit states “some of the most common programs districts told use they used for at-risk students had little to no effect on student outcomes.” KSDE believes this misstates the evidence available from the What Works Clearinghouse. Research found on the Clearinghouse which support such a claim has been criticized on methodological grounds. See William Mathis, Research-Based Options for Education Policymaking, provided here as Exhibit C.

KSDE is also surprised by the Audit’s implication that perhaps Lexia was not an appropriate program for at-risk students because it “showed potentially positive effects in reading comprehension but no effect on reading fluency.” (pg. 10). Lexia was a program chosen by the Kansas Legislature to help improve reading, which is an important factor in at-risk supports. There have been multiple studies showing the positive effect of Lexia specifically for at-risk students.

The Kansas State Board of Education and the Kansas State Department of Education Have Complied with State Law.

Finally, KSDE would like to address the idea that neither it or the State Board has complied with the intent of K.S.A. 72-5153. KSDE believes it has absolutely complied with the letter and intent of the law. During the 2017 legislative session, legislators met with KSDE leadership to discuss at-risk funding. At that time, KSDE explained the manner in which the agency complies with federal requirements to aid school districts in spending Title funds. That manner includes providing resources and training to
schools on how the schools should investigate their own needs to find the practices that work best to satisfy those needs. K.S.A. 72-5153 was written to match the use of districts’ LCPS which is what KSDE has done for years. KSDE was heavily involved in the actual crafting of the legislation, and it was never the intention for only those practices which occur outside of the typical classroom to be approved. Nor was it the intent of the legislature to require the State Board to specifically publish a list of practices and programs.
October 17, 2019

Heidi Zimmerman
Kansas Legislative Division of Post Audit
800 SW Jackson Street
Topeka, KS 66612

Re: Legislative Post Audit At-Risk Findings

Dear Ms. Zimmerman,

Thank you again for sharing your concerns with the Kansas State Board of Education and providing us with the opportunity to provide you with additional information prior to the completion of your draft report. The State Board met with legal counsel on October 16 to discuss your concerns and assertions in your email.

After consultation with multiple legal sources, The Kansas State Board of Education believes that the Kansas State Department of Education’s Evidenced-Based Best Practice website fully meets the requirements established in K.S.A 72-5153.

Section 15 of SB 19 (2017) established in every school district an at-risk education fund. That same Bill required the State Board to “identify and approve evidence-based best practices for at-risk programs and instruction of students receiving at-risk program services.” The State Board is further required to review and update such best practices as part of its five-year accreditation system review process. The law requires the identification and approval of practices derived from or informed by objective evidence demonstrates a statistically significant effect for at-risk students. The State Board has done just that by identifying those practices which work for all students, including those deemed to be at-risk. The agency website provides a robust list of practices for school districts to use while providing quality education. Every practice listed has been vetted by agency staff to ensure it is derived from or informed by objective evidence.

The Kansas State Department of Education relies on the work that has already been conducted by outside organizations which specialize in reviewing practices based on guidance provided by the U.S. Department of Education. Kansas, along with all other states, rely on these national research laboratories and organizations to provide studies on the effectiveness of programs, products, practices and policies that have positive effects on students. Organizations such as the Institute of Education Sciences’ National Center for Education Evaluation and Regional Assistance ("IES") "What Works Clearinghouse" use rigorous standards to review evidence of effectiveness on a wide range
of interventions and also summarizes the settings and populations in the studies. This is an excellent resource for schools to find evidence-based practices that best work for their at-risk students, which is why a link to the Clearinghouse is at the very top of the State Board’s list of resources for evidence-based practices for at-risk programs and instruction of students receiving at-risk program services. The Kansas State Board of Education believes that the research conducted by these groups meets the requirement of K.S.A. 72-5153 for identifying evidence-based best practices.

In order to assist your work on any future requests, please copy Dr. Randy Watson, Commissioner of Education and Mr. Dale Dennis, Deputy Commissioner on any correspondence with members of the Kansas State Board of Education, including myself. Dr. Watson is our direct employee and Mr. Dennis has been placed in charge of any audits concerning the department and the Kansas State Board of Education.

Respectfully,

Kathy Busch, Chairperson
Kansas State Board of Education
As a result of legislative reporting requirements, all districts receiving state At-Risk funds must complete this section of the Local Consolidated Plan Annual Report.

Provide the unduplicated number of students who met the state’s at-risk criteria and were, therefore, eligible for services funded with State At-Risk dollars. Do not provide the free lunch count but rather the number of students who met the following criteria:

An at-risk student is one who meets one or more of the following criteria:
- Is not working on academic grade level
- Is not meeting the requirements necessary for promotion to the next grade level; is failing subjects or courses of study
- Is not meeting the requirements necessary for graduation from high school (e.g., 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 and/or migrant
- Is identified as an English Learner
- Has social emotional needs that cause a student to be unsuccessful in school

How many of the identified students in question #1 were served with State At-Risk funds? 37086

How many at-risk students received at-risk type services provided through other funding sources (i.e., Title I)? (Do not include special education funding.) 26516

What research (e.g., student assessment data) did the district rely on in determining that the need for services or assistance existed?

The district uses a multi-factor identification process that qualifies a student as At-Risk based on the following criteria:
- English Language Learner
- Required Curriculum Intervention
- Credit Recovery or Intervention Courses
- Failure of more than one course; not meeting sufficient criteria for skills mastery of curricular courses
- Repeated suspensions
- Chronic absenteeism

The District relied on the following research to determine the need for services/assistance:
- Fast Bridge quarterly screeners in the areas of literacy and numeracy
- OLS content diagnostics for identification of specific literacy skill deficiencies
- Dreambox
- Ready data for numeracy
- Lexia Core data for reading mastery skills
- Attendance data
- Behavioral disposition data collected through our student management system
- Out of school suspension data
- Kansas state assessment data

Check which service(s) and/or assistance were provided with State At-Risk funds.
State At Risk (cont.)

- Additional In-Class Assistance
- After School Programs
- Alternative High School Programs
- High School Credit Recovery Course (Course completion or makeup)
- Language Support Programs for English Learners (EL)
- Summer School
- Tutoring Programs
- Other – Specify

Describe the services provided with State At-Risk funds.

- Class size reduction and small group instruction for core curricular classes including K-8, English, Math, and Science courses.
- Individualized learning plans supported with interventions and learning centers.
- Partial support of counselors & psychologists in schools with high social emotional needs to better support success in the classroom.
- Alternative and innovative instructional institutions and curriculum support.
- High school learning centers for credit recovery and intervention.
- Multiple tutoring avenues and educational after-school programming.
- Social emotional curriculum and support.
- Summer school/extended school year/diploma completion programs.
- Community based learning opportunities and literacy programs.
- Homework hotline support program.
- Drop Out prevention and transition to work programs.
- Better Academics and Social Excellence Programs.

What were the results/impact (student impact data) of providing at-risk services (assessment data, graduation data, etc.)?

We have seen a positive movement in graduation rates. We continue to see improved classroom management and maintained teacher satisfaction with optimum teaching conditions. Based on research-based results, we anticipate continuous improvement in attendance, academic achievement in mastery of skills and course completions, and a decrease in behavior incidents.

The District’s results of providing at-risk services were the following:
- 100% Dreambox growth is the equivalent to 1 grade level of growth. K and 1 exceeded that.
- Dreambox 3rd graders met the most standards.
- 82.6% of elementary students receiving Dreambox Intervention had 80.6% average growth.
- Ongoing analysis of daily attendance indicates improvements, showing one school decreasing chronic absenteeism by 13.9%.
- Minority students participating in BAASE show improved attendance, decreased behavior and Improvement in grades.
- Safe and Civil climate data show schools perceived as healthy learning environments.
- Behavior data shows continuous trends of decline in behavior dispositions at high schools.
- Preliminary 2019 KAP proficiency data at elementary shows 25 elementary schools achieving the ELA benchmark or increasing by 3+ % points.
- Preliminary 2019 KAP proficiency data at elementary shows 12 elementary schools achieving the math benchmark or increasing by 3+ % points.
- Preliminary 2019 KAP proficiency data at middle schools shows 5 MS achieving the ELA benchmark or increasing by 3+ % points.
- Preliminary 2019 KAP proficiency data at middle schools shows 3 MS achieving the math benchmark or increasing by 3+ % points.
- Preliminary 2019 KAP proficiency data at high schools shows 2 HS achieving the ELA benchmark or increasing by 3+ % points.
- Preliminary 2019 KAP proficiency data at high schools shows 3 HS achieving the math benchmark or increasing by 3+ % points.
- 4475 recovery courses were completed by high students through the Learning Centers.
- FastBridge data shows skill growth advancement for individual students allowing intervention placements to be fluid based on specific skill needs.
- Over 6000 high school students attended Wednesday night tutoring.
- Over 1300 ELL, MS and HS students utilized HW hotline.

Please list the evidence-based practices that were utilized successfully in the at-risk program.
- Class size reduction efforts to assist with improved student behavior and classroom management to support better educational opportunities, early identification of learning disabilities or needed curricular interventions.
- Alternative instructional approaches and new institutions including online, blended, and flexible schedules.
- Implementation of research based curriculum for intervention and alternative learning.
- Extended learning opportunities for credit recovery or diploma completion.

Indicators:
- Instructional Teams use student learning data to identify students in need of instructional support or enhancement
  - The principal monitors curriculum and classroom instruction regularly
  - The Leadership Team shares in decisions pertaining to instruction and professional development
  - The school’s Leadership Team regularly looks at school performance data and aggregated classroom observation data and uses that data to make decisions about school improvement and professional development needs
  - Units of instruction include specific learning activities aligned to objectives
  - The school assesses each student at least 3 times each year to determine progress toward standards-based objectives
  - The school provides all teachers timely reports of results from standardized and objectives-based assessments
  - All teachers are guided by a document that aligns standards, curriculum, instruction, and assessment
  - The school implements a tiered instructional system that allows teachers to deliver evidence-based instruction aligned with the individual needs of students across all tiers
  - The school’s tiered instructional system includes documentation that describes what interventions are provided and how interventions are selected and assigned to students and how fidelity will be monitored
  - The school implements a reliable and valid system-wide screening process for academics and behavior that includes the assessment of all students multiple times per year and establishes decision rules to determine those students in need of targeted intervention

- JAG, Restorative Practices, AVID tutoring, and other community based learning and mentoring opportunities.

The District used the following evidence-based practices in the At-Risk program:
- LETRs training
- Read Naturally
- Reading Mastery
- BICRC
- Lexia Reading
- Reading Plus
- Language1
- AVID
- Higher Order Thinking skills and questioning
- Houghton Mifflin Harcourt Reading
- Quick Reads
- Dreambox
- iReady
- ILit
- Orton-Gillingham techniques
- Restorative Practices
- Second Step
Research-Based Options for Education Policy Making

The Effectiveness of Class Size Reduction

William J. Mathis, University of Colorado Boulder
June 2016

Ask a parent if they want their child in a class of 15 or a class of 25. The answer is predictable. Intuitively, they know that smaller classes will provide more personalized attention, a better climate, and result in more learning. Ask teachers, and they will wax eloquent on the importance of small classes in providing individual support to their students. But ask a school board or district administrator, contending with a tight budget. They ask if the average class size can be a bit bigger.

Teacher pay and benefits are the largest single school expenditure, representing 80% of the nation’s school budgets.1 Thus, small class size is a costly, important, contentious and perennial issue.

The Research on Class Size

There are many studies of the impact of smaller classes and they vary widely in quality.2 As a result, proponents from all perspectives can cherry-pick studies that support their point of view.

But let’s look closer. There is, in fact, an independent consensus on what we know:

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One of the earliest influential meta-studies was by Glass and Smith in 1979. They statistically analyzed 300 reports involving almost 900,000 students. Once the class size fell below about 15, learning increased progressively as class size became smaller.

The most prominent study supporting smaller class sizes was the Tennessee STAR (Student/Teacher Achievement Ratio) experiment. The STAR experiment was a four-year statewide random-assignment experiment. Students in Kindergarten in the same schools were randomly assigned to classes of 13-15; to classes of 22-25 with a teacher's aide; or to classes of 25 without a teacher's aide. In the early studies, these students were followed through grade 3. In practice, the small classes ranged in size from 13-18 and the large classes from 22-28. It is worth noting that even the larger classes were smaller than most classes in those grades in Tennessee at the time. The smaller classes performed substantially better by the end of second grade in test scores, grades, and fewer disciplinary referrals.

The gains lasted. The students that had been assigned to smaller classes were more likely to graduate in four years, more likely to go to college, and more likely to get a degree in a STEM field. The positive effect was twice as large for poor and minority students, and thus narrowed the achievement gap. The original STAR study and follow-up reports, called the Lasting Benefits Studies, and subsequent Project Challenge had an impact in the political arena. President Bill Clinton proposed a $12 billion class size reduction program in his 1998 State of the Union address that was subsequently adopted by Congress.

Molnar et al. (1996-2001), in a well-designed series of five annual evaluations of the Wisconsin SAGE (Student Achievement Guarantee in Education) class size reduction program utilizing a quasi-experimental design, reproduced the STAR results. With class sizes of 15, they found significant and substantial effect sizes of 0.2 standard deviations, indicating that class size was a very effective school improvement strategy. Gains were greatest for African-American students, and teachers reported better classroom climates and fewer discipline problems. The continuation of small class sizes into the higher grades increased its impact. But cost considerations resulted in class size reduction activities being concentrated in the lower grades, mostly among economically deprived and children of color.

Over the years, Erik Hanushek of the Hoover Institute has taken a more skeptical look. He performed a "meta-analysis" of 277 studies in 1997, claiming that class size reduction was not an effective school reform strategy. He argued that class sizes have dropped over the last half of the twentieth century with no corresponding increase in achievement scores. In summary,

Surely class size reductions are beneficial in specific circumstances - for specific groups of students, subject matters, and teachers. Second, class size reductions necessarily involve hiring more teachers, and teacher quality is much more important than class size in affecting student outcomes. Third, class size reduction is very expensive, and little or no consideration is given to alternative and more productive uses of those resources. (p. 5)

Hanushek's analysis was criticized on methodological grounds in that he gave more weight to studies that showed no impact from lowering class size, while also treating weak studies as equivalent to those that were experimental and/or of much higher quality. He was also questioned about his claim that teacher quality was more important than class size in affecting student outcomes. Moreover, in re-analyzing the Tennessee STAR data, Alan Krueger not only concluded that class size reduction had economic benefits that outweighed the costs, and even within the large cohort of 22 to 25 students, the smaller the class, the better

http://nepc.colorado.edu/publication/research-based-options
the student outcomes. Mosteller also reported sustained effects and “the effect size for minorities was about double that for majorities.”

Krueger noted, as have many others, that class size reduction most benefits minority and disadvantaged students, and would be expected to narrow the racial achievement gap by about one-third. He also estimated that the economic gains of smaller classes in the early grades outweighed the costs two to one. While experimental studies have not been done for the middle and upper grades, there are many controlled studies, including longitudinal studies, showing gains in student outcomes for smaller classes at these grade levels. Many of these studies also show improvements in student engagement, lower drop-out rates and better non-cognitive skills. One longitudinal study revealed that smaller classes in eighth grade led to improvements in persistence and self-esteem, and that for urban schools, the economic benefits from investing in smaller classes would likely save nearly twice the cost. A study done for the US Department of Education analyzed the achievement levels of students in 2,561 schools, as measured by performance on the NAEP (national) exams. After controlling for student background, the only objective factor found to be positively correlated with student performance was class size. Student achievement was even more strongly linked to smaller classes in the upper grades.

In recent work (2015), Jackson, Johnson and Persico investigated the effects of school finance reform in 28 states. They followed the infusion of new money between 1970 and 2010, and found, “... a 10% increase in per-pupil spending each year for all 12 years of public school leads to 0.27 more completed years of education, 7.25 percent higher wages, and a 3.67 percentage-point reduction in the annual incidence of adult poverty.” They concluded that the gains were achieved primarily by lower student-to-teacher ratios, increases in teacher salaries, and longer school years. Gains were strongest for economically disadvantaged children and were sufficient to eliminate from two-thirds to one hundred percent of the adult outcome gaps (i.e. - wages, education level, percent in poverty) between those raised in poor and non-poor families.

Overall, the literature on class size reduction is clear and positive. The “overwhelming majority” of peer-reviewed papers find it an effective strategy.

**Further Policy Considerations**

**Supply of Teachers**

An oft-heard reservation about class-size reduction is that there are not enough well-qualified teachers to make the system work. However, in California’s billion dollar Class Size Reduction initiative, achievement increased for all groups, but there was little or no evidence that the need to hire more teachers led to lower quality teachers in the long run. When the Los Angeles Unified School District needed to triple its hiring of elementary teachers following the state’s class-size reduction initiative, there was no reduction in mean teacher effectiveness. In addition, some studies point to lower teacher attrition rates when class sizes are reduced, which would likely lead to a more experienced and effective teaching force overall.

http://nepc.colorado.edu/publication/research-based-options
Wash-Out Effects

Most of the research has been conducted in the early grades (K-3). This led some to questioning whether the effects are lasting or are cost-effective. Though Harris contended the effects wash out by seventh grade, Krueger and Schanzenbach found gains in college entrance exams and especially among minority students. In fact, they concluded that small classes through eighth grade cut the achievement gap by 54%. Dynarski, et al. found gains in college attendance, graduation rate, and a higher likelihood of graduating with a STEM degree. Jackson, Johnson and Persico found sustained long-term social and economic effects in their 28-state work. Chetty, et al found that students from smaller classes in kindergarten had a greater likelihood of attending college, owning a home and holding a 401K more than 20 years later.

Non-Cognitive Effects

In addition to the gains listed above, college attendance, graduation rate, student engagement, persistence and self-esteem is reported as higher. The gains in test scores are attributed to the greater individualization of instruction, better classroom control and, thus, better climate. Teachers have more time for individual interactions with children, consulting with parents, and giving greater attention to grading papers.

As Compared to Other Reforms

There is little evidence indicating that other reforms would be more effective at a lower cost. While teacher quality is undoubtedly important, those who argue that improving teacher quality would be more cost-effective present no comparative data from experimental or controlled studies.

Recommendations

- Class size is an important determinant of student outcomes, and one that can be directly determined by policy. All else being equal, lowering class sizes will improve student outcomes.

- The payoff from class-size reduction is greater for low-income and minority children. Conversely, increases in class size are likely to be especially harmful to these populations -- who are already more likely to be subjected to large classes.

- While lowering class size has a demonstrable cost, it may prove the more cost-effective policy overall particularly for disadvantaged students. Money saved today by increasing class sizes will likely result in additional substantial social and educational costs in the future.

- Generally, class sizes of between 15 and 18 are recommended but variations are indicated. For example, band and physical education may require large classes while special education and some laboratory classes may require less.

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Notes and References


http://nepec.colorado.edu/publication/research-based-options


http://nepe.colorado.edu/publication/research-based-options


This is a section of Research-Based Options for Education Policymaking, a multipart brief that takes up a number of important policy issues and identifies policies supported by research. Each section focuses on a different issue, and its recommendations to policymakers are based on the latest scholarship. Research-Based Options for Education Policymaking is published by The National Education Policy Center and is made possible in part by funding from the Great Lakes Center for Education Research and Practice.

The National Education Policy Center (NEPC), housed at the University of Colorado Boulder School of Education, produces and disseminates high-quality, peer-reviewed research to inform education policy discussions. Visit us at: http://nepc.colorado.edu

http://nepc.colorado.edu/publication/research-based-options
**Itemized Response to LPA Recommendations**

**Audit Title:** K-12 Education: Evaluating At-Risk Student Counts, Weights, and Expenditures  
**Agency:** State Board of Education

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<td><strong>Question 1</strong></td>
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<td>1. The board should more thoroughly oversee the process for identifying at-risk programs and practices.</td>
<td>The elected Kansas State Board of Education (KSBE) believes that the Board and KSDE has fully met the requirements established in K.S.A. 72-5153. Further, the Board has appointed a subcommittee of its members as well as KSDE staff to review the process by which practices and programs will be identified in accordance with the 2019 change in state law.</td>
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**Agency:** KSDE

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<td>1. The department should ensure that any guidance they provide to the districts reflect current state law.</td>
<td>This recommendation has to do with a single document that has since been updated.</td>
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<td>2. The department should establish a process to determine that any identified programs and practices are evidence-based and for at-risk students.</td>
<td>In sum, KSDE uses a two-step method of identifying and approving evidence-based practices for at-risk students. The first part of the process involves the review and approval of the district’s Local Consolidated Plan. The second part of verifying and approving at-risk spending occurs during KSDE’s fiscal audits. Additional details regarding KSDE’s method of identifying and approving evidence-based practices for at-risk students is included in the Addendum to KSDE’s response to the LPA Audit. Further, the Board has appointed a subcommittee of its members as well as KSDE staff to review the process by which practices and programs will be identified in accordance with the 2019 change in state law.</td>
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November 15, 2019

Justin Stowe
Legislative Post Auditor
Kansas Legislative Division of Post Audit
800 SW Jackson Street
Topeka, KS 66612

Dear Mr. Stowe,

The Blue Valley School District appreciates this look at at-risk funding in Kansas. As noted in the updated and revised report, and as advocated for by the Blue Valley School District many times through legislative position statements and discussions with members of the Kansas Legislature, there is a significant discrepancy between the number of students Blue Valley is serving with at-risk services, and the number of students Blue Valley is being funded for. As evidenced by this report, Blue Valley serves more than triple the number of students with at-risk services than what the district receives in funding. The Blue Valley School District urges changes to the at-risk funding mechanism of the state funding formula that allows for an expanded definition of which students qualify for at-risk funding that go beyond simple measures of free lunch.

Todd White, Ed.D.
Blue Valley School District
Superintendent of Schools
Appendix A – Cited References

This appendix includes a list of the major reports, articles, publications, or studies that we relied on for information in this report.


2. Class Size Reduction and Student Achievement (2009). Christopher Jepsen and Steven Rivkin.


6. Teachers, Schools, and Academic Achievement (March, 2005). Steven Rivkin, Eric Hanushek, and John Kain.


8. The Importance of At-Risk Funding (June, 2016). Education Commission of the States.


Appendix B – Resources the Board Has Approved

This appendix includes examples from the State Board of Education’s approved evidence-based practices for at-risk students. The complete website included links to 83 resources as of October 2019.

The website can be found at: https://www.ksde.org/Agency/Division-of-Learning-Services/Special-Education-and-Title-Services/Announcements-Special-Education-and-Title-Services/Best-Practices
Civic Engagement

- **Civic Engagement General Resources** - A list of general resources put together by KSDE for developing curriculum for civic engagement. The list includes about 50 links to online resources.

- **Civil Discourse in the Classroom** - A curriculum that introduces the basic tools for teaching civil discourse. The curriculum is not subject specific but provides general resources for teaching argumentation and discussion in the classroom.

- **Generation Citizen** - A middle school and high school civics curriculum that encourages teacher led discussion and active student participation in government issues.

Math

- **Bridges in Mathematics** - A comprehensive PK-grade 5 curriculum that fully implements the Common Core standards for math. It focuses on developing an understanding of math concepts and problem solving.

- **Classroom Practices that Support Equity-Based Mathematics Teaching** - A statement that urges educators to frame math education through reflecting, noticing, and engaging in the community. It asks math teachers to reflect on their own identity and beliefs.

- **Effective Mathematics Teaching Practices** - A list of general teaching practices for math. It includes strategies such as using mathematical representations facilitating math discourse and posing purposeful questions. The list was assembled by the National Council of Teachers of Mathematics.

Reading and Literacy

- **Content Area Literacy Guide** - A guide that includes a number of strategies that support literacy development. It provides information on planning literacy-based lessons, using graphs to help students organize their thoughts, and how to ask purposeful questions.

- **Reciprocal Teaching** - A book that describes a specific practice for helping all students better comprehend what they are reading. It focuses on four strategies that include predicting, questioning, clarifying, and summarizing.

- **Structured Language Practice Strategies** - A chapter from a textbook that describes strategies for improving student vocabularies. It encourages practices such as regular assessment, word mapping, and using word walls.

Science

- **Advancing Coherent and Equitable Systems of Science Education** - A list of resources compiled by the Advancing Coherent and Equitable Systems of Science Education Project. It includes resources for assessing students, using cultural experiences to make science more relevant, and recognizing student
contributions.

- **Next Generation Science Storylines** - A resource that provides tools to teachers who are using the Next Generation Science Standards. It provides lesson plans that support student learning through investigation.

- **STEM Teaching Tools** - A collection of 62 practices educators can use to teach science, technology, engineering, and math. They include practices for sequencing material, encouraging classroom discussion, and how to focus professional development.

**Social Emotional/Trauma Informed Care**

- **How to Improve Student Educational Outcomes** - Analysis of the Program for International Student Assessment (PISA). The PISA is an international assessment taken by students in 72 countries. The article notes a number of findings including that student mindset is important to academic outcomes and a mix of student and teacher led learning is best.

- **National Commission Interim Report from the Aspen Institute** - A report by the National Commission on Social, Emotional, and Academic Development and the Aspen Institute. The report does not appear to contain any resources for educators but notes many of the Commission's highlights and plans for the future.

- **School Mental Health Initiative** - A list of general resources compiled by the Kansas Technical Assistance System Network. It includes resources related to trauma responsive schools, restorative practices, and mental health data.

**General Resources**

- **Florida Center for Reading Research** - The Center conducts basic research on reading growth, assessment, and instruction. The website includes a number of studies and articles related to different aspects of reading including phonics, fluency, and comprehension.

- **IDEAS that Work** - A website that includes resources and research related to improving results for children and youth with disabilities. The U.S. Department of education runs the website.

- **What Works Clearinghouse** - A searchable database that provides information on the existing research on different programs, products, practices, and policies in education. It is affiliated with the U.S. Department of Education.