

## **Kentucky Association of School Superintendents 2020-2021 Legislative & Advocacy Priorities**

### **PREAMBLE**

**A major pillar in a successful Kentucky is a strong public school system. In addition to preparing our children for post-secondary training and careers, public schools develop children to be healthy, productive, contributing members of society. Our economic prosperity depends, in part, on our investment in our public schools as our children represent our future. The Kentucky Association of School Superintendents presents these legislative priorities to help chart a path to a better Kentucky through stronger public schools.**

### **ADVOCACY PRIORITIES**

#### **Funding Priority**

In order to ensure that all students are college and career ready, it is necessary to receive adequate and equitable funding from the General Assembly according to their responsibility based on Section 183 of the Kentucky Constitution. The lack of such funding severely impacts our most vulnerable and at-risk students and is most visibly noted in the areas of pupil transportation, preschool, and all-day kindergarten.

The SEEK (Support Education Excellence in Kentucky) formula is not a funding formula as it has been called but rather is a distribution formula designed to provide equitably for school districts in most areas of funding when it is adequate in its base which is set by the General Assembly. When base funding is inadequate, all areas of funding are exponentially negatively impacted as each other area of funding is a factor of the base. In addition, the lack of adequate funding at the state level has required local taxpayers to bear the burden of higher property taxes as local school districts have limited means of raising revenue locally. (See the SEEK Overview Reports at [www.kycbe.com](http://www.kycbe.com)) We implore the General Assembly to consider tax reforms to generate the needed revenue to adequately fund public education, including a full review of all tax expenditure exemptions & exonerations. Additionally, the General Assembly should provide more flexibility for local school boards in their ability to implement or raise taxes to support their students.

#### **Key Points: We ask the General Assembly to:**

- Increase funding allocated through Base SEEK, to restore equity across communities.
- Prioritize funding the Learning & Results Services (LARS) programs that directly serve our students such as: preschool; family resource and youth service centers (FRYSCs); instructional resources; state agency children; gifted and talented; and extended school services (ESS);



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- Continue support for school safety by fully funding the implementation of the School Safety and Resiliency Act (SB1 of 2019);
- Ensure that professional educators receive high quality training and development to enhance their efficacy with students;
- Continue to equalize local nickel taxes levied by school boards for facility improvements;
- Increase the SEEK add-on rate for exceptional children to address the growth in this population;
- Support the HANDS program and services for our students in foster care provided by the Department for Community Based Services, to help us serve special needs among students;
- Continue to appropriate the full actuarially determined contributions to the Teachers' Retirement System (TRS), and the full amount needed for school employee health insurance.
- Consider tax reforms to generate the needed revenue to adequately fund public education, including a full review of all tax expenditure exemptions & exonerations.
- Provide adequate funding to the Kentucky Department of Education to support schools and districts, including modernizing funding for the Kentucky School for the Deaf and Kentucky School for the Blind.

### Kentucky Teachers' Retirement System

A sound pension system helps Kentucky recruit and retain quality teachers. Quality teachers and staff are the primary evidence-based factor to improve student achievement. Kentucky teachers are, in almost all cases, prohibited from participating in Social Security so TRS benefits are their only economic safety net in retirement. KASS implores the General Assembly to continue full funding of the pension systems while maintaining a pension structure of a defined benefit system protected by the inviolable contract.

### Key Points:

TRS is a long-term investor with a long-term outlook - refer to the long-term 35-year performance slide below:

<b>Importance of Investment Income</b>	
Schedule of Funds Available for Retirement Benefits	
In billions	
<b>Beginning Balance as of July 1, 1985</b>	<b>\$ 1.8</b>
Member & Other Contributions	7.9
Employer Contributions	15.7
Investment Income	28.7
Benefit Payments & Refunds	(33.2)
Administrative Expenses	(0.2)
<b>Ending Balance as of June 30, 2020</b>	<b>\$20.7</b>





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- Over the past 10 years KTRS has performed in the top one percent of pension funds nationally.
- Over the past 35 years, KTRS has grown by about \$19 billion in spite of negative cash flows (benefits paid exceeded contributions).
- The ARC will grow with payroll inflation. Payroll growth is re-evaluated every five years. Next experience study occurs this year. After this fiscal year, there are about 25 years remaining for paying the unfunded liability.
- Shared Responsibility of 2010 for the retiree healthcare: Prior to 2010, the state voluntarily funded this program. In 2010, HB 540 passed and is working well. It moved us from a pay-as-you-go fund to a pre-funded benefit program. It is already 36.3% funded and growing annually. The state agreed to pay for retirees under the age of 65 who retired on or after July 1, 2010 less the difference the retirees pay. Think TRS as an immortal in terms of its investment strategy - it has an infinite life-span and can always invest for the long-term.

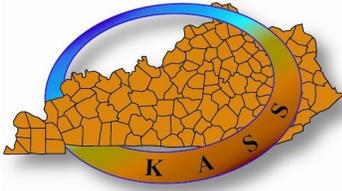
### **Enhancing legal liability protections provided to local school boards, districts, and employees**

- Every dollar spent in a courtroom is a dollar not spent educating students in a classroom. We ask the General Assembly to expand the legal liability protections already afforded by state law to school boards, individual board members, districts, and employees.

**Opposition to any privatization of Kentucky Public Funding for Education** - While KASS supports the rights of parents to choose the educational option for their child, we strongly oppose efforts to privatize public funds for education. Further, we oppose any diversion of public education funds to private agencies through any mechanism including vouchers, tax credits or any other methods. Because public education is currently underfunded in Kentucky, we oppose funding charter schools until our public schools are adequately funded.

### **Key Points:**

- Tax credits will reduce state funding at a time when public education funding has been reduced relative to the total state budget and the global pandemic has strained all school district budgets.
- SB1 of 2019 on school safety will require significant resources to meet the intent of the law and move the safety agenda forward in Kentucky schools. Tax credits will reduce state funding that could be used to implement SB1.
- The majority of Kentucky communities do not have certified private schools, which are concentrated in the population centers of the state. Tax credits for private



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schools will simply shift funds from rural districts to private schools in the population centers.

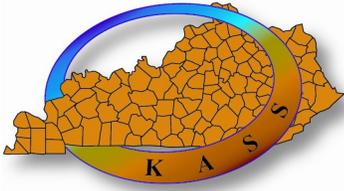
- Tax Expenditure Task Force comprised of Kentucky Legislators who met in 2018 made their top recommendation the elimination of most current tax credits - not creating new ones.
- Proponents will tout savings to schools because of fewer students. However, those of us who run schools know that many essential services will continue as fixed costs regardless - utilities, transportation, food service, maintenance costs - to name a few.
- In states that have implemented tax credits, there have been abuses and gaming of the system (e.g. scholarship circles, etc.).

**Educator Development and Support & Building a Strong Pipeline** - The fundamental purpose of P-12 education in Kentucky is to prepare students for success in life and upon graduation, ensure their readiness for post-training and careers. The number one factor influencing student learning achievement and success in our schools is the quality of the professional educators working with and around our students. The research is clear, improving the instructional and leadership capacity of teachers, principals, superintendents and other educational professionals is critically important to our educational progress in Kentucky. Kentucky's educational policies must ensure we can attract and retain the best and brightest people to serve our schools. Our policy approaches must ensure these professionals receive quality professional development and training over their careers, along with the resources and tools to do their jobs and deliver on achieving our goals.

High quality professionals desire a competitive salary, benefits including a secure retirement and healthcare. In addition, engaged and motivated professionals need opportunities to learn and grow, as well as the tools and resources needed for their work with students. It is crucial we entice many of our best and brightest into the field of education as it is the "mother of all career sectors" in the workforce. Kentucky needs to invest in public education to ensure high quality professionals will lead our classrooms, schools, and districts.

### **Key Points:**

- How does Kentucky address key policy levers to improve Kentucky's ability to attract, retain and develop high quality people to work with and around our students in our schools and districts?
  - Competitive Salaries and Benefits including a secure retirement, quality health insurance
  - Effective Working Conditions including safe, clean, conducive and well-maintained environment



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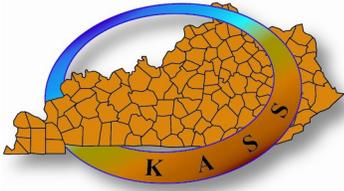
- The tools and resources needed to do excellent work - instructional materials, resources and technologies
- Provide on-going personalized professional growth and development opportunities for educators to improve professional practice and build instructional and leadership capacity throughout
- Provide coaching and mentoring, particularly in the early years of professional practice, to support educator growth and development through effective on-boarding and induction programs
- Support for education career pathways to inspire future educators into the profession.

It is imperative we change the narrative and improve the brand for professional education careers in Kentucky. While we must debate policy proposals that impact the profession, we must do so without damaging the profession with negative rhetoric.

**Principal Hiring** - Great schools are led by great principals. Superintendents are responsible for supervising, supporting and developing strong school principals. To bring stronger responsibility and accountability to superintendents for principal success, principal hiring should be made by the superintendent in consultation with the SBDM Council. Principals will benefit knowing the superintendent has a stake in their success. Teachers, board members, and the community can hold superintendents more accountable for school and student success. SBDM Councils will still have a voice in principal hiring similar to how the principals hire teachers in consultation with the SBDM Councils. Consultation should be a minimum standard with superintendents having the latitude to engage SBDM councils more fully if they choose.

### Key Points:

- Superintendents should be afforded the same courtesy principals have for hiring teachers in consultation with the SBDM council in hiring principals.
- Superintendents are responsible for evaluating, developing and supporting principals and ultimately determining the job status of the principal. There is essentially no other job sector where CEO's do not hire their top administrators.
- Principals will benefit knowing the superintendent hired them and has a stake in their success, which will improve trust and collaboration.
- Boards of Education will have more accountability for superintendents hiring high quality principals.
- This proposal retains a strong voice for teachers and parents in the process.
- Superintendents will have the latitude to fully include the SBDM Council as it is currently.



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**Role of School Based Decision Making (SBDM) Councils** – KASS values the voice of teachers, support staff, parents, students and community members in the governance and decision-making process for schools and districts. In order to provide improved authority alignment with the responsibility to advance student achievement in Kentucky Public Schools, we support a balance in the role of SBDM Councils, school boards and districts within the governance model for public education. Such a change will improve coherence, coordination and collaboration within the school system and allow the district and school leaders most accountable for student learning the ability to make school management decisions as evidenced by research as most impactful in improving student achievement.

### **Key Points:**

- There needs to be a better balance of authority for curriculum, instruction and assessment with SBDM Councils that retains a strong teacher/parent voice while creating more district-wide coherence across schools in the district.
- We need to ensure every school district in the Commonwealth operates as a School System versus system of schools operating in isolation.

### **Enhance Homeschool Provider Qualifications and Eligibility Requirements for Homeschool Students to ensure safety and well-being.**

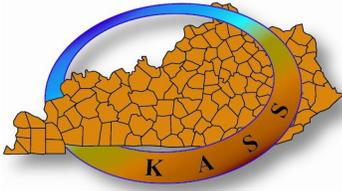
While superintendents support the right of all parents to make educational decisions for their children, we encourage the General Assembly to take steps to ensure the safety, well-being and educational success of all students, including those enrolled in homeschool programs.

### **Key Points:**

- Ensure that adults providing K-12 educational instruction in the homeschool setting meet minimum educational and safety requirements;
- Ensure that a child being enrolled in homeschool has not received a truancy summons.

**KASS Statement on Equity** - As the leadership of Kentucky's 171 public school districts, we strongly advocate for reforms to protect students and others from any form of bias, including race-based, gender-based, or any other form of discrimination. Given current events, it is especially critical we foster a culture of anti-racism and work together to further racial equality within all facets of society, including in our public schools.

**KASS Statement on Effective Advocacy** - As the leadership of Kentucky's 171 public school districts, superintendents do not support the use of "Sick Outs" as a tool for legislative advocacy and, with the best interest of our students in mind, we urge teachers not to participate.



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We do, however, want to stress that such reactions to proposed legislation would be rendered unnecessary if all those impacted were involved in discussions, drafting and modifications early in the process.

The most effective advocacy occurs at the local level with our elected officials. We encourage all teachers, staff and students to exercise their right to petition government without disrupting the education of our students.

Additionally, and through numerous education-based associations, we are active in the legislative process and have a daily presence in Frankfort and our state capitol. This, in our opinion, is how we best participate in and monitor legislative activity during normal school operations versus negatively impacting students and families through “Sick Outs.”

**KASS supports the development of *District Advocacy Teams*** as another effective strategy for engaging teachers and other school district staff in the advocacy process. Districts are encouraged to develop a professional leave process for sending representatives to Frankfort during legislative sessions to give greater voice to those tasked with serving the educational needs of Kentucky’s public school children. If all 171 school systems send representatives to the state capital on any given day, public education will be strongly represented. This is an effective and legal manner in which to advocate for our students, schools and profession.

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## Kentucky Association of School Superintendents

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