

Approved February 27, 1986
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

The meeting was called to order by Representative Don E. Crumbaker at
Chairperson

3:37 ~~am~~/p.m. on February 26, 1986 in room 519-S of the Capitol.

All members were present. ~~except~~

Committee staff present: Avis Swartzman, Revisor of Statute's Office
Ben Barrett, Legislative Research
Lynda Cory, Secretary to the Committee

Conferees appearing before the committee:

Dan Hinson
Ron Taylor

John Koepke
Sherry Kennard

Dan Neuenswander

The Chairman invited the last conferee from yesterday's meeting to come forward.

Dan Hinson, a citizen from Eskridge, Kansas, was in favor of HB 2676. He felt the bill would hold the school board accountable to the people since they follow the guidelines of the federal grant monies instead of the desires of the families. (Attachment 1)

Ron Taylor, President of the USD #501 Board of Education, opposed HB 2676. Their independent surveys indicated that the voice of the people were not always consistent in their desires. He cited the example of a sixth grade being moved out of a middle school, and now the desire is to have the sixth grade back in the middle school after it has been closed already. (Attachment 2)

John Koepke, Kansas Association of School Boards, opposed HB 2676 unless it was amended to read that it was for schools with less than 1600 enrollment. (Attachment 3)

Sherry Kennard, a citizen from Basehor, Kansas, opposed HB 2676 because she felt the bill would undo the unification system that has been set up and maintained since 1968. (Attachment 4)

Dan Neuenswander, Superintendent of USD #497 in Lawrence, Kansas, opposed HB 2676 because it does not allow the Board of Education the options to balance enrollments, better use of staff, combining of buildings, or any other benefits to operate the district more efficiently.

The Chairman concluded hearings on HB 2676. He reminded the committee that bills would be heard next week on Monday and Tuesday. Wednesday and Thursday will be used for action on bills previously heard as the deadline for bills to be out of this committee is Thursday night.

The meeting adjourned at 4:31 p.m.

DATE 2-26-86

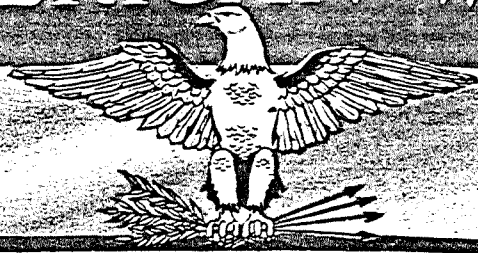
GUEST REGISTER

HOUSE

EDUCATION COMMITTEE

NAME	ORGANIZATION	ADDRESS
Dan W. Hanson	citizen parent group	Rt 1 Eshridge
Esther Miller Seibert	citizen for community	66423 ¹²³⁴ 234 ⁵ 6
Gerald Miller	USA	Topeka
Dan Nouenswanda	USD # 497	Lawrence
Marie Owens	CCS	Linwood
Rachel Courtney	Linwood High School	Linwood
Vicki McKinney	LHS	Linwood
Bill Smith	US N. 259	Wichita
Ken Ragg	Paola	LD Co
Richard Funk	KAIB	Topeka
Matthew W Livingston	Associated Students of Kansas	Manhattan / Topeka
STEVE B. DEBAUXE	ASSOCIATED STUDENTS OF KANSAS	MANHATTAN / TOPEKA
Mary Ella Simm	LG. OF WOMEN Voters	Topeka
David H. Bean	U.S.D. 458	RB 2 Box 143 Bonner Springs
Sue Hawley	Washburn Univ.	Topeka, KS
Regnell Woodard	Washburn Univ.	Topeka, KS
Louis James	USD. 458	Bascher, KS
Theresa Gattermyer	USD. 458	Bascher, KS
Anna Joe Brewer	U.S.D. # 458	Bascher, KS
Sheryl Kennard	U.S.D. # 458	Bascher, KS
Janie Caton	U.S.D. # 458	Linwood, KS
John K. Dyer	KASB	Topeka, KS
Lynn J. Fisher	KSNT	Topeka, KS

THE AMERICAN WAY OF LIFE



POLITICAL AND ECONOMIC RIGHTS

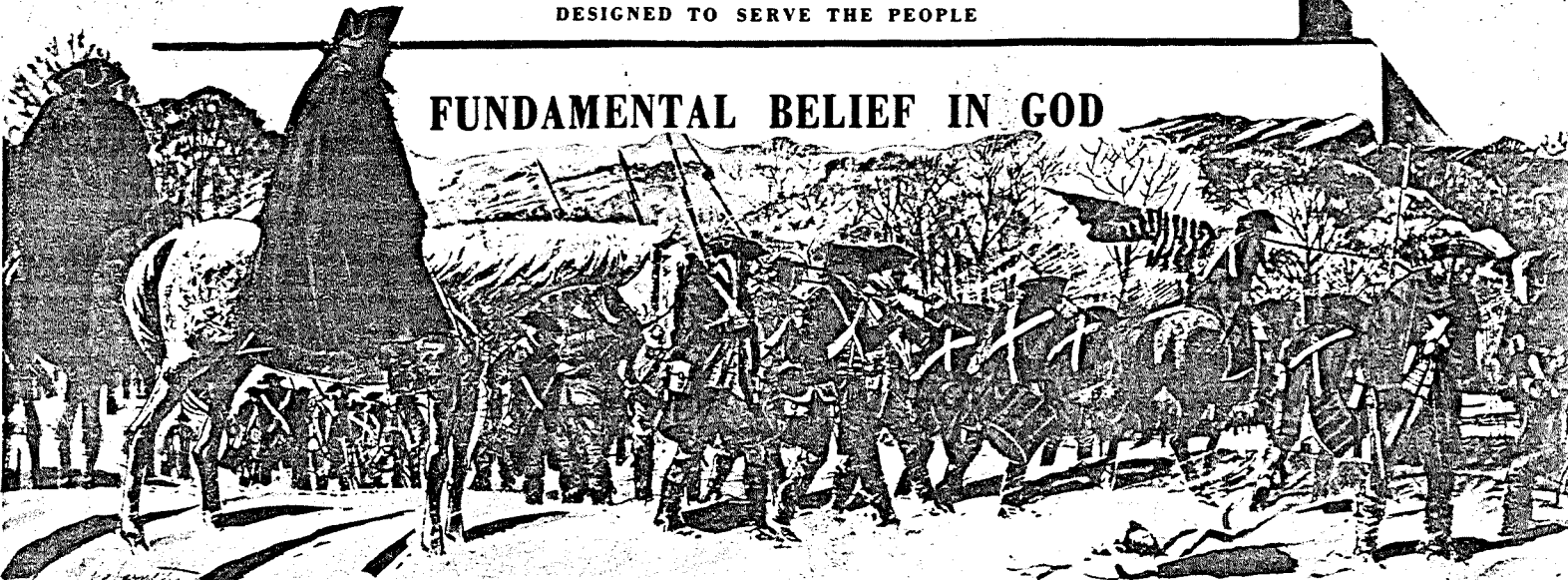
WHICH PROTECT THE DIGNITY AND FREEDOM OF THE INDIVIDUAL

- ★ RIGHT TO WORSHIP GOD IN ONE'S OWN WAY.
- ★ RIGHT TO FREE SPEECH AND PRESS.
- ★ RIGHT TO PEACEABLY ASSEMBLE
- ★ RIGHT TO PETITION FOR REDRESS OF GRIEVANCES.
- ★ RIGHT TO PRIVACY IN OUR HOMES.
- ★ RIGHT OF HABEAS CORPUS —NO EXCESSIVE BAIL.
- ★ RIGHT TO TRIAL BY JURY— INNOCENT UNTIL PROVED GUILTY.
- ★ RIGHT TO MOVE ABOUT FREELY AT HOME AND ABROAD.
- ★ RIGHT TO OWN PRIVATE PROPERTY.
- ★ RIGHT TO FREE ELECTIONS AND PERSONAL SECRET BALLOT.
- ★ RIGHT TO WORK IN CALLINGS AND LOCALITIES OF OUR CHOICE
- ★ RIGHT TO BARGAIN WITH OUR EMPLOYERS AND EMPLOYEES.
- ★ RIGHT TO GO INTO BUSINESS, COMPETE, MAKE A PROFIT.
- ★ RIGHT TO BARGAIN FOR GOODS AND SERVICES IN A FREE MARKET.
- ★ RIGHT TO CONTRACT ABOUT OUR AFFAIRS.
- ★ RIGHT TO THE SERVICE OF GOVERNMENT AS A PROTECTOR AND REFEREE.
- ★ RIGHT TO FREEDOM FROM ARBITRARY GOVERNMENT REGULATION AND CONTROL.

CONSTITUTIONAL GOVERNMENT

DESIGNED TO SERVE THE PEOPLE

FUNDAMENTAL BELIEF IN GOD



TO PERSONALLY UNDERSTAND AND MAINTAIN THE AMERICAN WAY OF LIFE, TO HONOR IT BY HIS OWN EXEMPLARY CONDUCT, AND TO PASS IT INTACT TO SUCCEEDING GENERATIONS IS THE RESPONSIBILITY OF EVERY TRUE AMERICAN

FREEDOMS FOUNDATION AT VALLEY FORG

As an American citizen, parent, grandparent
I am deeply concerned over the

Quality of Education

Responsibility

Accountability

Why do we have schools

What is the purpose of education?

Who runs our schools?

Are we educating or indoctrinating?

A nation at Risk

Why Johnny can't read.

The Battle for the Public Schools.

Drugs - pre marital sex abortion
birth control Let the records speak
for them ~~set~~ selves. We have
many problems -

now we must apply solutions.
by refusing Federal and State

Do not close ^{or build} any schools until
out a study and a vote of
the People

Thank You

OATH OF OFFICE

STATE OF KANSAS

County of _____

} ss.

I DO SOLEMNLY SWEAR, that I will support the Constitution of the United States, and the Constitution of the State of Kansas, and will faithfully discharge the duties of the office of

_____ Office

_____ So help me God.

_____ Name

_____ Signature

Subscribed and Sworn to before me, this _____ day of _____ 19 _____

(Seal):

_____ Signature—Notary Public*

_____ Title

My notarial appointment expires _____.

*Or other officer authorized to administer oaths.



STATE OF KANSAS

Wabaunsee COUNTY

} ss.

I, Dean Haulfer

do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Kansas, and faithfully discharge the duties of USD #330 School Board Member

so help me God.

Signed Dean Haulfer

Subscribed and sworn to before me this 18th day of April, 19 83

Burt M. Dependick
Officer Authorized to Administer Oath.

By Janice Johnson Deputy

RADIO BROADCAST

January 31, 1986

She did not approve of the textbook used in her daughter's second grade reading class. However, according to Vickie Frost, her daughter was forced to read the offensive material or be expelled. And to what did Vickie Frost object? The textbook presented idol worship as possibly beneficial; evolution and humanism were espoused; certain values, such as those concerning lying and stealing were taught as being relative; it was taught that it is proper to disobey parents; and the children were told spiritual salvation is possible through means other than Jesus Christ.

Rather than capitulate to the school's demands, Frost pulled her child out of school and was subsequently arrested and thrown in jail. And just where do you imagine that this took place? No, not Soviet Russia, or Red China, or Cuba. No, this happened in Hawkins County, Tennessee.

Mrs. Frost has since filed a suit against the Hawkins County School board for false arrest and false imprisonment. And guess who has jumped into the fight? People for the American Way has announced its opposition to Mrs. Frost. People for the American Way has awarded Juvenile Court Judge Reese Gibson its first annual Freedom to Learn Award for opposing Mrs. Frost by establishing the Citizen Advocates for the Right to Education.

But tell me, when was it ever the "American Way" to teach children its okay to lie and steal under certain conditions? When was it the "American Way" to instruct children to disobey their parents? When was it the "American Way" that witchcraft was considered possibly beneficial? When was it the "American Way" to force children to read such materials? When was it the "American Way" to throw parents into jail for prohibiting their children from reading such material.

What is the "American Way" where education is concerned? It may have been best expressed in a ruling by a Pennsylvania court in 1842. In Commonwealth vs. Armstrong, the court stated: "No teacher, either in religion or in any other branch of education, has any authority over the child, except what he derives from its parent or guardian; and that authority may be withdrawn whenever the parent, in the exercise of his discretionary power, may think proper."

This is Jerry Falwell.

TO: House Education Committee
Don Crumbaker, Chairman

HOUSE BILL NO. 2676

Mr. Chairman and Members of the Committee:

My name is Ronald F. Taylor. I appear before you as the president of the USD 501 Board of Education, which is in opposition to HB 2676.

HB 2676, as proposed, allows a minority to rule the majority in that petitions may be signed by "not less than 5% of the registered electors...who reside within the attendance area of the affected school building..." This mandate usurps both the power and obligation of a school board to function in the best interests of all concerned.

The bill allows selected, small vested-interest groups to take away local control with only five percent of the registered voters within an attendance area being allowed to dictate the disposition of district buildings, i.e., closing a building; changing an elementary school to a middle or high school; and retaining schools with very small enrollments. This policy negates Board authority.

In the event this bill must be passed to meet the needs of some districts, we respectfully request that school districts with enrollments of 1,600 or more be made exempt from this act, and that the power of a minority to rule the majority be deleted.

Mr. Chairman and Members of the Committee:

When you go into your deliberations, I sincerely hope you will report HB 2676 adversely.

Thank you.

ATTACHMENT 2

February 26, 1986

HOUSE EDUCATION COMMITTEE

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS



5401 S. W. 7th Avenue Topeka, Kansas 66606
913-273-3600

Testimony on H.B. 2676
before the
House Education Committee
February 26, 1986

by
John W. Koepke, Executive Director
Kansas Association of School Boards

Mr. Chairman and members of the Committee, we appreciate the opportunity to appear before you once again on behalf of our 303 member boards of education on a topic of major interest to public education. The issue of a state policy on school closings is one that has been before this Legislature since at least the 1930's.

House Bill 2767 would reverse a fifty year trend of legislation giving local boards of education greater authority in managing their physical facilities. Despite the efforts that have been made thus far, Kansas still ranks 46th among the states in the nation in Pupil-Teacher Ratio.

We have long argued that school boards cannot be held fully accountable for controlling costs until they have the ability to control the use and closing of their attendance centers. We are constantly being told that we should operate our enterprise like a business. The ability to close unneeded or inefficient facilities is in our mind fundamental to good business practice.

The passage of H.B. 2676 would go even further than the original school closing law following the passage of the school unification acts by including the change of use of school buildings in the proposed school closing procedure.

We believe that it is counterproductive in these perilous economic times to tie the hands of local boards of education in this manner.

We believe that the time has come for the Legislature to recognize that the appropriate unit of government to make school closing decisions is the locally elected board of education. If a change is to be made in the school closing law during the legislative session, we would urge you to consider amending H.B. 2676 to give every local school board in the state, regardless of size, the ability to close or change the use of any attendance center under its jurisdiction by a majority vote of the board of education.

Sherry Kennard, Basehor, Kansas

I speak for _____ patrons of USD 458 who oppose House Bill 2676, and have signed this statement indicating their opposition to the proposed bill.

We oppose this proposed bill because we feel it discriminates against the right of all patrons of a school district to vote on all issues. The state legislature has established unified school districts for the entire state and this bill would defeat the idea of unity. School boards are elected by all of the patrons of a unified school district to serve the entire district and should continue to be able to make decisions for the entire district.

You, as representatives, are elected from your district to serve not only your own patrons, but the needs of the entire state of Kansas. We feel sure each of you would oppose any bill that would restrict your right to vote on issues pertaining to the entire state of Kansas and its tax monies.

With the current economic status of the state in mind, it is obvious the legislature is not considering much in the way of additional funding for education. It is certainly incumbent upon the legislature to make sure local boards of education are allowed to control their own district situations in the interest of efficiency. It is also generally agreed that good legislation does not allow a minority to dictate to the majority.

Closing an attendance center is always a difficult decision, but one which can be handled under the present statute. This bill, with some provisions regarding the changing of use of an attendance center, could present other special problems. We are concerned that the dropping of one course and the addition of another could be construed by some as a "change in use" of an attendance center. Certainly the adjustments required in shifting from a junior high to a middle school configuration would represent a change.

There is nothing that boards of education can do to stop the changing population trends in our rural or urban areas. We simply have to continue to strive to have the best possible program in our unified districts for all district students. Placing roadblocks in the way of board actions to improve the educational system may salvage the emotional feelings of a minority, but certainly does nothing for the improvement of the entire district.

Your support in opposing this bill will be appreciated.