

Approved: 2-14-95
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairman Rochelle Chronister at 3:30 p.m. on February 2, 1995 in Room 519-S of the Capitol.

All members were present except: Representative Bruce Larkin (excused)

Committee staff present: Ben Barrett, Legislative Research Department
Avis Swartzman, Revisor of Statutes
Dale Dennis, Department of Education
Lois Thompson, Committee Secretary

Conferees appearing before the committee: Craig Grant, KNEA
Jacque Oakes, Schools for Quality Education
Connie Hubbell, Kansas State Board of Education

Others attending: See attached list

Hearing opened on **HB 2152 concerning school finance, increase state aid per pupil, definition of state prescribed percentage for purpose of local option budgets.**

Craig Grant representing Kansas National Education Association appeared as a proponent of **HB 2152**. A base budget increase is their number one priority this year. They believe the state must provide relief in this area after three years of no change. They request an automatic escalator be built into the formula. They recommend a "modified float" of the LOB. To be consistent with LOB and low-enrollment schools, they suggest that the low-enrollment factor be taken times the original base (\$3600) rather than any new base. They believe that the transportation reimbursement should be lowered from 2.5 miles to 2.0 miles. They recommend a change in the new school facilities weighting to phase out the weighting over five years and remove the 7% growth requirement. They believe the definition of "at risk" student should be changed to correspond to KSA 72-9901(f) which may cause an increase in this weighting. They request funding the teacher education and certification subcommittees from the General Fund rather than from the Certification Fee Fund (since certification fees should not be increased) and, as always, that Ag in the Classroom and Cultural Heritage Center programs be funded. (Attachment 1)

Jacque Oakes representing Schools For Quality Education, an organization of 113 small school districts appeared in behalf of **HB 2152**. They feel the increase in base state aid is a positive move, but are concerned that this is not enough of an increase to meet even the cost of living that occurs annually. They feel an increase of \$100 from \$3,600 to \$3,700 would be more in line with the needs of schools. They favor allowing the 25% local option budget to remain the same while the base state aid increases. (Attachment 2)

Connie Hubbell, Legislative Coordinator of the State Board of Education, presented the position of the State Board making the following recommendations: 1) Increase base state aid per pupil 3.5 percent per year beginning with the 1993-94 school year. 2) Leave the local option budget limitation at 25%. 3) Grant locally elected boards of education authority to budget up to 10 percent in their local option budget, 4) Allow school districts permission to count four year old at risk preschool students in the enrollment with a 2,500 student limit. The selection would be determined by the State Board of Education using Headstart guidelines. 5) Increase the school year up to 3.5 days with a goal to reach 200 days by the year 2000. (Attachment 3)

Written testimony was received from Patrick J. Hurley and Jim Allen in behalf of the Kansas Education Coalition. (Attachment 4)

Ben Barrett, Staff, Legislative Research, addressed some questions which arose during the previous day's testimony.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION, Room 519-S Statehouse, at 3:30 p.m.
on February 2, 1995. CONTINUATION SHEET

Chairman Chronister requested staff put into some formal written manner the principle issues of school finance with costs for use by the committee as they consider school finance.

Representative O'Connor provided an article from the *Wall Street Journal*, Tuesday, June 22, 1993 entitled "Deliver Us From Clinton's Schools Bills" to committee members. (Attachment 5)

The floor was opened to questions from the committee.

The meeting adjourned at 4:45 p.m.

The next meeting is scheduled for February 6, 1995.

GUEST LIST

Committee: Education

Date: 2-2-95

NAME: (Please print)	Address:	Company/Organization:
Jim Allen	Topeka	KEC
Bill Jancek	Wichita	Boeing
Mary Ann Stattelman	Topeka	KS Farm Bureau
DANNY JONES	ARK CITY	CITIZEN
HERSHEL POOR	WELLSVILLE	CITIZEN
Penny Judelson	Hillsdale, NJ 07024	The Ks. Coalition, Inc
Arlyn Johnson	Tecumseh	
Linda Smyth	Topeka	Washburn Student
Bob Johnson	Topeka	WO LAW School
Ken Baker	"	4th Enrollment USA
Jacqueline Gordon	Topeka	KS Council on D/D
Barbara Cole	Topeka	KNEA
Ken R Cole	M. Johnson	Pharmacist
Jacque Dales	Topeka	SDE
Robin Lehman	Lawrence	Olathe District Schools
Selen Stephens	P.U.	BV USD 229
Jim Zaralley	Overland Park	USD # 572



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 W. 10TH STREET / TOPEKA, KANSAS 66612-1686

Craig Grant Testimony Before
House Education Committee
Wednesday, February 1, 1995

Thank you, Madame Chairman. I am Craig Grant and I represent Kansas NEA. I appreciate this chance to visit with the committee about HB 2152, a bill on school finance.

KNEA had a school finance task force which met last fall and worked intensely after the Supreme Court decision until its final report was completed on January 11. I have attached a brochure which outlines our positions. The positions which affect the formula are as follows:

1. Base Budget - A base budget increase is our number one priority this year. After three years of no change in the base budget, we believe the state must provide relief in this area. We note that the state general fund proposal by the Governor increased about 3.5% while the base budget is recommended to increase .8%. The \$400 increase recommended by the State Board of Education is certainly not out of line to help catch up from previous years' inactivity. Additionally, in order to avoid this "catch-up" provision, we are asking that an automatic escalator be built into the formula. We propose that that increase be related to the increase in general fund revenues rather than other cost of living factors;
2. We recommend a "modified float" of the LOB. We would suggest that the percentage authorized be taken times the original \$3600 base, not any new base. This would keep the \$900 spread steady rather than spreading it, would allow all districts to benefit equally from the base raise, and not be as costly to the state;

3. In order to be consistent with LOB and low-enrollment schools, we are suggesting that the low-enrollment factor also be taken times the original base (\$3600) rather than any new base. This would narrow the range between high and low spending schools without penalizing low-enrollment schools. The results of numbers 2 and 3 could save the state around \$5 million per each \$100 the base is raised;
4. We also believe that the transportation reimbursement should be lowered from 2.5 miles to 2.0 miles;
5. We recommend a change in the new school facilities weighting to phase out the weighting over five years and remove the 7% growth requirement; and
6. We believe the definition of "at risk" student should be changed to correspond to KSA 72-9001 (f) which may cause an increase in this weighting.

Other changes we would request would be to fund the teacher education and certification subcommittees from the General Fund rather than from the Certification Fee Fund (since certification fees should not be increased) and, as always, that we fund the Ag in the Classroom and Cultural Heritage Center programs.

We present these changes in school finance as a sincere attempt to move our schools forward. We think our schools are among the best in the nation. We must move forward with increased support of schools so we can keep improving.

Thank you for listening to our concerns.

OTHER FUNDING RECOMMENDATIONS

Kansas NEA also recommends the following funding changes in the formula and in other funding areas:

1. **Local Option Budget** - The present allotment should be applied to \$3600 rather than any new base amount.
2. **Local Option Budget** - The protest petition should be eliminated for a district which decides to keep or increase any local option budget up to a 5% increase.
3. **Special Education** - The excess costs of Special Education should be funded at 100%.
4. **Safe Schools** - The State should set aside three million dollars for school based programs to combat violence in the schools.



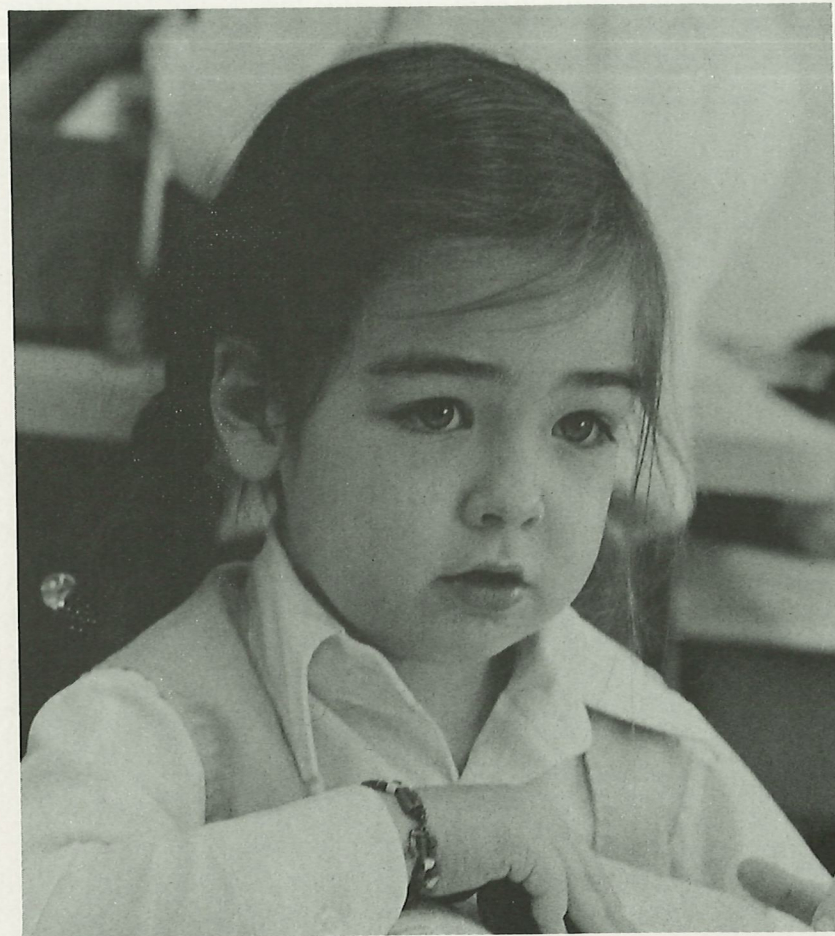
knea

Kansas National Education Association
715 West 10th Street
Topeka, Kansas 66612

913/232-8271

1-800-432-3573

School Finance KNEA Recommendations

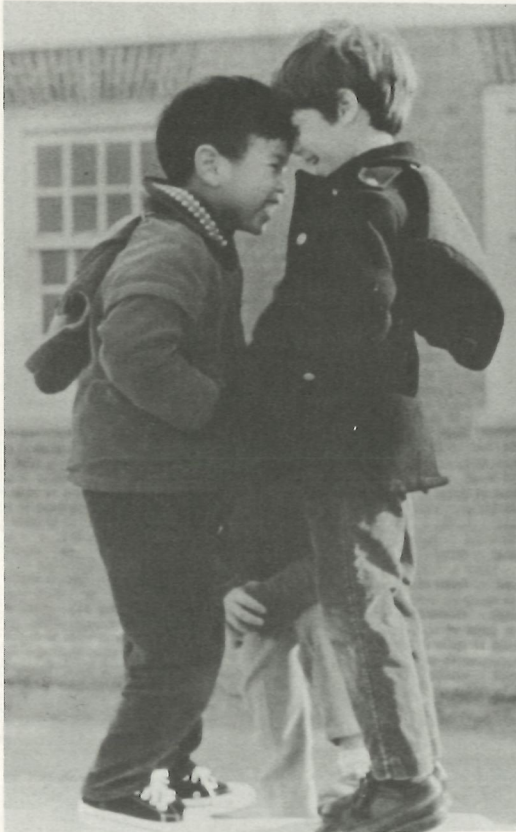


KNEA presents these changes in our school finance formula hoping the Legislature will see them as a constructive and sincere attempt to move our schools forward into the 21st Century.

Keep the promise

People are the life blood of our schools in Kansas and adequate funding is at the heart of a school's ability to operate effectively. Public schools are a good value. Kansas schools

traditionally are among the best in the nation. Our national reputation and ranking are in jeopardy if we cannot increase support for our schools.



BASE BUDGET

After three years of no change in the base funding per pupil, Kansas must provide relief in the base budget for schools. Inflation has increased around 5.8% in the past two years and by the end of this school year will increase another 3%.

Kansas NEA recommends a \$400 increase in the base budget which is an 11.1% increase in the base funding for schools.

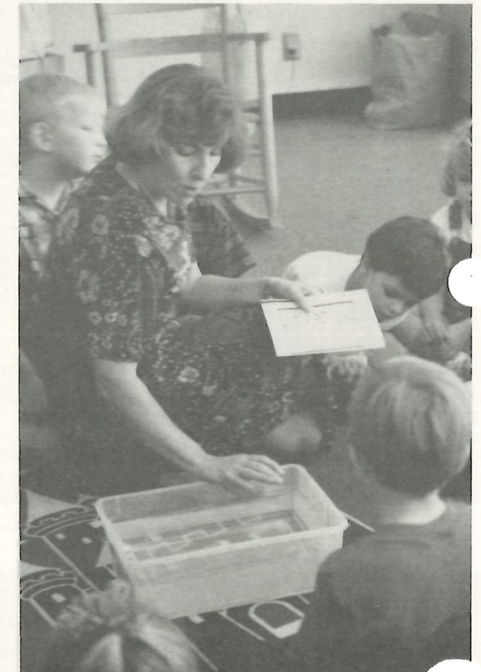
Kansas NEA also recommends an automatic escalator in our base budget which would increase the base a percentage equal to the increase in state general fund revenues the prior (or current) fiscal year.

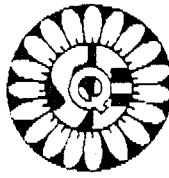
ENROLLMENT WEIGHTING

The costs involved in educating students can differ depending on certain factors over which districts have no control. The result is the enrollment weighting system.

Kansas NEA recommends adjustment in the following factors:

1. The transportation reimbursement be lowered from 2.5 miles to 2.0 miles.
2. The definition of at-risk students be changed to correspond to K.S.A. 72-9001 (f).
3. Districts receiving low-enrollment weighting be allotted the same dollar amount in 95-96 that they did in 94-95.
4. The new school facilities funding be expanded so the 7% requirement for enrollment increase is eliminated and so the funding for a new school is phased out over a five-year period.





Schools for Quality Education

Bluemont Hall Manhattan, KS 66506 (913) 532-5886

Date: February 1, 1995

To: House Education Committee

Subject: HB 2152 -- School finance, increase base state aid
 per pupil, definition of state prescribed
 percentage for purpose of local option budget.

From: Schools For Quality Education

Madam Chairwoman and Members of the Committee:

I am Jacque Oakes representing Schools For Quality Education, an organization of 113 small school districts.

We are appearing before you on HB 2152 which raises the base state aid per pupil from 3600 to 3630 and which allows the 25% local option budget to float.

Our organization was extremely pleased to see the Governor's recommendation to increase the base state aid. After starting the fourth year of school improvement without any increase, this is a positive move in the right direction. However, we are concerned that this is not enough of an increase to meet even the cost of living that occurs annually. We believe that an increase of \$100, from \$3,600 to \$3,700 would be more in line with the needs of schools to reinforce and encourage continued educational improvement.

We do favor allowing the 25% local option budget to remain the same while the base state aid increases.

Thank you for your time and consideration.

"Rural is Quality"

*House Education
Attachment 2
2-2-95*

Kansas State Board of Education

120 S.E. 10th Avenue, Topeka, Kansas 66612-1182

February 1, 1995

TO: House Education Committee
FROM: State Board of Education
SUBJECT: 1995 House Bill 2152

My name is Connie Hubbell, Legislative Coordinator of the State Board of Education. I appreciate the opportunity to appear before this Committee on behalf of the State Board.

The State Board of Education has spent a great deal of time during the summer months listening to school officials discuss their educational needs. Many teachers are working long hours to help students reach their educational goals. Based upon a statewide survey, approximately 24 percent of all public school students are at risk.

It is essential that we provide local boards of education with the resources necessary to continue improvement of student achievement.

The State Board believes the following recommendations are justifiable but also realize that resources are limited.

1. Increase base state aid per pupil 3.5 percent per year beginning with the 1993-94 school year.
2. Leave the local option budget limitation at 25 percent.
3. Grant locally elected boards of education authority to budget up to 10 percent in their local option budget.
4. Allow school districts permission to count four-year-old at risk preschool students in the enrollment with a 2,500 student limit. The selection would be determined by the State Board of Education using Headstart guidelines.
5. Increase the school year up to 3.5 days with a goal to reach 200 days by the year 2000.

The State Board of Education would be pleased to cooperate with the Legislature in trying to reach decisions that would benefit Kansas school children and the economic well being of the state.

Dale M. Dennis
Deputy/Assistant Commissioner
Division of Fiscal Services and Quality Control
(913) 296-3871
Fax No. (913) 296-7933

House Education
Attachment 3
2-2-95

TESTIMONY

Presented on Behalf of the
KANSAS EDUCATION COALITION

by Patrick J. Hurley and Jim Allen

to the
HOUSE EDUCATION COMMITTEE
on HB 2152

Statehouse
February 1, 1995
3:30 p.m.

*House Education
Attachment 4
2-2-95*

Madam Chairperson and Members of the Committee:

This testimony is presented on behalf of the members of the Kansas Education Coalition. The Kansas Education Coalition is an organization formed by a number of Kansas school districts which share one common concern. They each currently receive low enrollment funding and cannot afford to lose any of it.

The membership of KEC is 109 school districts and growing. They range in size from the smallest to the largest of those districts currently receiving low enrollment funding. They are located in all geographic parts of the state.

The coalition began to take shape in response to the Shawnee County District Court decision striking down the 1900 student threshold for low enrollment weighting. Most low enrollment districts feared that the Supreme Court would uphold that ruling. There was considerable discussion in the media at that time about "dividing up the low enrollment pie" and redistributing it to other districts. Studies were commissioned to deal with setting a new threshold in anticipation of the Supreme Court upholding the lower court decision.

It was against this background that low enrollment districts began meetings to prepare their case for retaining this essential funding. They began to discuss the devastation which would occur to their districts from any significant reduction in low enrollment funding. Talk of forced closures or consolidation was rampant and real. From these meetings was formed the Kansas Education Coalition.

The members of the Kansas Education Coalition united around three fundamental principles:

1) that they could not withstand and would oppose any reduction in low enrollment funding under the current school finance law;

2) that they could not accept and would oppose any shifting of funds from one district to another;

3) that they would only support adjustments to the school finance law if any such changes were funded by new revenues and not from existing revenues.

Once formed, the KEC began meeting with representatives of other school districts to expand their base and find common ground for improving the law without damaging low enrollment districts.

They met with the Johnson County Districts and reached a common understanding on a number of points. The Johnson County Districts agreed not to support any reduction in low enrollment funding and the KEC members agreed to support increased funding for the base per pupil and adjustments relating to the local option budget.

KEC members also began discussions with the United School Administrators association and again made clear their position regarding the need for protection of low enrollment funding before they could support goals sought by U.S.A.

After several discussions, the position statement of the U.S.A. was adopted which specifically incorporates KEC's three fundamental principles and thereby allows KEC to support U.S.A.'s goals for additional funding and flexibility in the law.

KEC now urges the Legislature to adopt these same three principles as absolute requisites before making any changes in the law and we believe it is in the State's best interest for the Legislature to do so.

After the Supreme Court ruling, some persons characterized the low enrollment districts as the only real "winners". In fact, however, we believe the Legislature is also a winner. The Supreme Court's decision will allow the Legislature to avoid the

blood bath which would have occurred from having to make substantial cuts in low enrollment funding. One group of school districts would have been pitted against another. In the end none would have been winners.

Instead, the Legislature is now able to focus on reasonable adjustments in the law which will have the support of virtually every school without harming any single district.

It was for these reasons that the Kansas Education Coalition was formed. At the time we anticipated the worst. We are now pleased to be able to stand today in unison with the United School Administrators and all their district members in urging that you adopt this reasonable approach to any changes you may make in the formula.

Upon the basis of these same principles being adopted by this Legislature, the members of the Kansas Education Coalition would support the changes proposed in HB 2152.

We thank you for the opportunity to provide this testimony on behalf of the members of the Kansas Education Coalition.

Key, this sounds similar to what's happening here in Kansas. Vouchers for choice are needed more than ever.

Deliver Us From Clinton's Schools Bill *Robert*

By BRUNO V. MANNO

In 1989, Gov. Bill Clinton played a major role in the bipartisan effort begun by the nation's governors to reform education by developing world-class voluntary national achievement standards. These standards were to define what all our children should know and do—and tests would measure whether the children are learning to those standards. Ironically, if President Clinton's \$420 million "Goals 2000: Educate America Act" becomes law, education reform will dangerously shift from a focus on what our children learn to what education bureaucrats spend. The full Senate is expected to consider the bill soon, while the House version is scheduled to be voted out of the Education Committee tomorrow.

Resources, Not Results

"Goals 2000" would subvert education reform by proposing so-called voluntary national delivery standards, which would measure whether there's adequate money, programs, and other human and physical resources in every school, every district, and every state. For example, they'd determine if a school has up-to-date technology and textbooks or "reasonable" policies on class size and discipline; if teachers and administrators receive "top notch" training; or if teachers know the curriculum and teach to meet the needs of culturally diverse students.

The delivery standards would describe resources—what we put into the system—and not results—what we expect our children to know and do. They're standards for schools, not standards for students.

What's the problem with delivery standards? First, supporters believe that until they're met, students can't be held accountable for learning to high standards. That's why "Goals 2000" money can't be used by states and communities to create exams that decide if students can advance, graduate or be employed.

This approach blocks the development of a meaningful national testing system, as Secretary of Education Dick Riley (another former governor) admits: "We are

Money Doesn't Help

This table, produced by the Heritage Foundation, compares the dollars spent per student in each state with that state's ranking according to 1992's Scholastic Aptitude Test and eighth-grade National Assessment of Educational Progress math scores. Many states with consistently high test scores spend well below average per pupil on education. In contrast, the states that spend the most have among the lowest test scores.

STATE	AVERAGE PER PUPIL EXPENDITURE	SAT RANK	8TH GRADE NAEP RANK	STATE	AVERAGE PER PUPIL EXPENDITURE	SAT RANK	8TH GRADE NAEP RANK
New Jersey	\$9,159	39	14	Kansas	5,001	6	N.A.
New York	8,500	42	22	Hawaii	5,003	44	37
District of Columbia	8,210	49	42	Georgia	4,669	50	31
Connecticut	7,914	35	11	Iowa	4,839	1	1
Alaska	7,877	31	N.A.	California	4,826	34	29
Rhode Island	6,989	43	23	Colorado	4,809	23	12
Pennsylvania	6,534	45	14	North Carolina	4,802	48	34
Massachusetts	6,351	33	12	Nevada	4,564	29	N.A.
Maryland	6,184	32	25	New Mexico	4,445	15	31
Delaware	6,016	37	27	Missouri	4,415	13	16
Wisconsin	5,946	7	6	Kentucky	4,390	18	28
Maine	5,894	41	4	Nebraska	4,381	8	6
Vermont	5,740	36	N.A.	South Carolina	4,327	51	29
Ohio	5,639	24	18	Texas	4,238	46	25
New Hampshire	5,504	28	4	Arizona	4,231	25	23
Virginia	5,360	38	18	Louisiana	4,012	16	40
Oregon	5,291	26	N.A.	Oklahoma	3,742	11	18
Minnesota	5,260	3	3	South Dakota	3,730	5	N.A.
Michigan	5,257	20	18	Tennessee	3,707	9	34
Wyoming	5,255	21	8	North Dakota	3,685	2	1
Montana	5,184	19	N.A.	Alabama	3,648	14	39
Florida	5,154	40	31	Arkansas	3,334	17	38
Illinois	5,062	10	N.A.	Mississippi	3,322	12	41
Indiana	5,051	47	17	Idaho	3,200	22	8
West Virginia	5,046	27	34	Utah	2,993	4	8
Washington	5,045	30	N.A.	Nat'l Average	\$5,261	-	-

N.A.'s state does not participate. Source: Heritage; Department of Education; College Board.

not proposing in any way national testing for individuals."

Second, delivery standards are linked with a state's eligibility for federal education money. "Goals 2000" money would be withheld from states and communities lacking delivery standards that mirror the "voluntary" national ones.

Not to be outdone by the administration, House Education Committee Democrats go further. They've amended the bill to require that before states receive any federal education money, they must specify corrective actions they'd take if a school fails to meet delivery standards requirements.

Third, national delivery standards require a national mechanism to direct development and to police enforcement. "Goals 2000" wants a National Education Standards and Improvement Council cho-

sen by the president and dominated by education bureaucrats. Thus Nescie would become a powerful national school board with no requirements for bipartisanship or lay control of education, defying longstanding American tradition.

Fourth, delivery standards are opportunities to drag states and communities into court to equalize resources. As Rep. Bill Goodling (R., Pa.) said at the committee hearing on the bill: "I agree with the concept that you need to have equal opportunity, but all I can see is the trips to the court."

Litigation is not some far-fetched imagining. An Alabama state court ruled recently that the K-12 state system is unconstitutional because it doesn't provide students with an adequate education. Judge Eugene Reese in a 175-page opinion lists criteria schools must meet, including

"providing students with an opportunity to attain" sufficient skills to compete with students throughout the world and "sufficient understanding of the arts to enable each student to appreciate his or her cultural heritage and the cultural heritage of others." Helen Hershkoff, a lawyer for the American Civil Liberties Union, representing the plaintiffs, calls the decision "a landmark because it recognizes that children have a right not only to an equitable education but also to an adequate education." All this language reflects a delivery standards approach.

While former Govs. Clinton and Riley have come out for delivery standards, at least two of their former colleagues are in strong opposition. Govs. Roy Roemer (D., Colo.) and Carroll Campbell (R., S.C.) wrote Mr. Riley to say that "Goals 2000" would create a "federal intrusion" into state policies and give the department too much control over curricula and how states spend education funds. Washington will impose on states, communities and classrooms more federal red tape, more requirements, and more directives through rules and regulations.

Same Old Agenda

Even Albert Shanker, president of the American Federation of Teachers, while generally praising "Goals 2000," thinks it wrong to pair the defining of outcomes with the defining of resources because, "Those are two different discussions." And any new council doing that "will be paralyzed [and] unlikely . . . to achieve its mission of certifying world-class [achievement] standards for students."

Bill Clinton ran as a "new" Democrat, but he's picked up the old Democrats' education agenda: more government from Washington and with it, more money, more lawsuits, and more bureaucracy strangling states and communities. It's the most amount of money for the least amount of change, with the money going to the crowd that controls the schools and likes them the way they are.

Mr. Manno, former U.S. assistant secretary of education for policy and planning, is an education consultant at the Washington office of the Hudson Institute.

House Education Attachment 5 2-2-95