

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Co-Chairperson Barbara Lawrence at 1:30 p.m. on February 14, 1995 in Room 123-S of the Capitol.

All members were present except: Senator Emert
Senator Walker

Committee staff present: Ben Barrett, Legislative Research Department
Avis Swartzman, Revisor of Statutes
Brenda Dunlap, Committee Secretary

Conferees appearing before the committee: Senator Bob Vancrum
John McDonough, Citizens for Educational Freedom
Craig Grant, KNEA
Mark Tallman, KASB
G. Gordon Thomas, Concerned Citizens Assoc.
Senator Mark Parkinson

Others attending: See attached list

Senator Oleen made a motion to approve the minutes from the February 8, February 9, and the February 13, 1995 meetings. Senator Langworthy seconded the motion, and the motion carried.

SB 144 - School district finance, local option budgets, costs of doing business increases

Senator Bob Vancrum testified in favor of the bill. He stated this bill addresses a very important factor that was left out of our present school finance formula. An amount of \$3,600 per pupil or even \$4,500 simply does not buy as much in wages, salaries, and other goods and services needed to educate children in Johnson county as it does in other parts of the State of Kansas; and this is true of all wages and services - not just those that are discretionary with the school board. This is also true in other counties in Kansas. One minor correction needs to be made in the bill. Any district that has used its full 25% LOB and is in a county above the median of the State of Kansas in wage rates should be eligible to adopt this additional LOB, regardless of whether they receive supplemental general state aid. (See Attachment 1)

Mark Tallman, Kansas Association of School Boards testified against the bill as it appears to be in reaction to inadequate funding under the current school finance system, but it presents what we believe is an inappropriate response to the situation. We cannot see any reason to justify giving a wealthy district access to additional budget authority for its students, but denying additional funds to students in the very same county that happen to reside in a less wealthy district. (See Attachment 2)

G. Gordon Thomas, Concerned Citizens Assoc., Inc. (Shawnee Mission School District) testified against the bill. It has been our experience that no amount of money can satisfy the spending appetite of the Shawnee Mission School District. They quickly use up all new money, and begin whining for more. We urge you to reject this proposal and not give school districts a blank check, which is ultimately what they want. If the Shawnee Mission District has such a severe shortage of funds, why are they misappropriating education dollars and establishing nurseries for unwed mothers? Kansas now ranks in among the worst fifteen states for tax burdens on its citizens. It has become increasingly difficult to attract new business and economic development to our state. Vote against this bill. (See Attachment 3)

John McDonough, Citizens for Educational Freedom, testified in opposition to the bill because it is unconstitutional. It is unconstitutional because the Kansas Bill of Rights requires equal treatment and religious liberty for all, and because Article 6 requires all educational interests of the state to be treated suitably, financially. Suggestions for alternatives to increasing taxes are tuition and higher fees for public schools, vouchers for all schools and to discontinue subsidies to those who can pay their own bills. (See Attachment 4)

Craig Grant, Kansas National Education Association, provided written testimony in opposition to the bill. We support the concept of a cost of doing business factor in our school finance formula. Our position, however, on cost of doing factor is that it should be a regular weighting factor rather than an additional local option provision. If it were changed to a regular weighting factor, we could support that concept. (See Attachment 5)

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION Room 123-S-Statehouse, at 1:30 p.m. on February 14, 1995.

SB 167 - School districts, special education, ad valorem tax levy

Senator Mark Parkinson testified in favor of the bill. It would allow local school districts to levy an ad valorem property tax for purposes of paying for special education programs. Specifically, it would allow the local school district to levy an amount that would be equal to the difference between the expenditure on special education and what the level of state funding is for that particular year. Local school districts are mandated to provide these services, yet funds are not provided for that mandate. Under current law, many school districts across the state are required to transfer money from their general fund in order to pay for these mandated services. The impact is that regular services are inadequately funded, and the quality of education that we would like to provide is not available. Obvious concern over the bill is whether it is disequalizing. I understand the concern, but in some respects, it might actually serve to equalize. For example, in school districts that have rejected a local option budget, this bill would provide them with budget authority that is not presently available. (See Attachment 6)

Craig Grant, KNEA, provided written testimony in opposition to the bill. While applauding the authors' recognition that special education is important and can drain significant revenue from the general fund, it seems that the "property rich" districts will be able to fund any differences much more easily than other "property poor" districts. This mandated program should be adequately funded from state and federal sources rather than from sources that have disequal abilities to raise the funds. (See Attachment 7)

Mark Tallman, KASB, testified in opposition to the bill. Practically, this bill would mean that students in wealthy districts would receive more educational funding than students in poor districts. The solution to inadequate funding is for the State to meet its obligation to all its children, not just those who live in wealthy districts. That means funding an adequate base budget per pupil, allowing the local option budget to increase at the same time by "floating" the maximum, and funding a high percentage of special education excess costs. (See Attachment 2)

G. Gordon Thomas, Concerned Citizens Assoc. Inc., testified in opposition to the bill. (See Attachment 3)

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for February 15, 1995.

SENATE EDUCATION COMMITTEE COMMITTEE GUEST LIST

DATE: 2-14-95

NAME	REPRESENTING
Bob Vanaman	Senat. Dist. 11
Joyce Vancu	Senat. Dist. 11 ☺
Blue Juice	Boeing
Tom Allen	KFC
Onan Burnett	USD 501#
Mark Tallman	KASB
Donald Snodgrass	Ks. Food Dealers Assn.
Jacque Dakes	SCFE
Susan Chase	KNEA
Tamara J. Endecott	Kansas FFA Association
Jimmy (unclear)	Quinnipiac Park Chamber
Diane Gjerstad	USD 259
Rerald Henderson	USA of KS
Eloise Lynch	AAUW
Londonne Corder	Lehman, Brandelberg, & Associates.
Robin Lehman	Olathu USD 233
Ken Bels	4th Enrollment USD's
W. A. P.	USA
Maureen Hawver	Hawver's Capital Report

Paul Davis

Senator Henstey

BOB VANCURUM

SENATOR, ELEVENTH DISTRICT
OVERLAND PARK, LEAWOOD,
STANLEY, STILWELL, IN
JOHNSON COUNTY
9004 W. 104TH STREET
OVERLAND PARK, KANSAS 66212
(913) 341-2609



TOPEKA

SENATE CHAMBER

STATE CAPITOL
TOPEKA, KANSAS 66612-1504
(913) 296-7361

COMMITTEE ASSIGNMENTS

VICE-CHAIRMAN: ENERGY AND NATURAL RESOURCES
MEMBER: WAYS AND MEANS
JUDICIARY
MEMBER: COMMERCE, LABOR AND REGULATIONS
COMMITTEE, NATIONAL CONFERENCE ON
STATE LEGISLATURES
MEMBER: ENVIRONMENTAL TASK FORCE,
COUNCIL ON STATE GOVERNMENTS

**TESTIMONY ON SENATE BILL 144
TO
THE SENATE EDUCATION COMMITTEE
FROM SENATOR BOB VANCURUM**

Dear Senator Kerr and members of the Committee:

This bill addresses a very important factor that was left out of our present school finance formula. \$3600 per pupil or even \$4500 simply does not buy as much in wages, salaries, and other goods and services needed to educate children in my county as it does in other parts of the State of Kansas, and this is true of all wages and services - not just those that are discretionary with the school board.

My inquiries to Ben Barrett have disclosed that several states in the United States having school finance formulas similar to ours take this fact into account. The state of Ohio for instance, uses a weighing factor for high cost districts in distributing state aid. The factor is dependent upon differential cost of wages in those counties where school districts are located.

The present bill is a very severely limited version of the Ohio bill. Senate Bill 144 would simply allow school districts to expand their LOB above the existing 25% lid where their county's "cost of doing business" (wage rate) is above the state average. Furthermore, this additional LOB must be entirely funded locally and is subject to a new protest petition. Ben Barrett, Dale Dennis, are familiar with the bill and new projections have been done as to additional budget authority that would be created.

One minor correction needs to be made in the bill. It is my intention that any district that has used its full 25% LOB and is in a county above the median of the State of Kansas in wage rates should be eligible to adopt this additional

*Senate Education
2-14-95
Attachment 1*

LOB regardless of whether they receive supplemental general state aid. An example is the Olathe school district. My intention is only that the supplemental general state aid would not be available to fund any part of the additional LOB, not to cut a district like Olathe off entirely as I think the present bill draft does.

It is simply unfair to mandate that school districts are limited to \$4,500 per pupil if their citizens want to pay more with no regard given to the differences in the prevailing level of wages and other costs of goods and services in each community. Wages and salaries for the full range of occupations are nearly 40% higher in my county than they are in some other counties of Kansas. It is probably also generally true that taxpayers in such a county are more able and more willing to fund a local option budget of 25 or even 30%. So it is appropriate that this be an entirely locally funded option.

I have two additional points and then I'll stand for questions. (1) Although this bill would benefit all three of the districts that I represent, it is probably most critical to the Blue Valley School District which lies entirely within my Senate District. The Committee last week heard SB 97 which is the number one priority of that district. That bill would allow a more gradual phaseout of additional budget authority for these new schools. It is essential to prevent reduction of several million dollars in their budget at a time when they are rapidly growing, so I certainly support that bill as well. If Blue Valley gets only one chance at some relief this session, that is the bill you should pass. But, growing districts such as Blue Valley and Olathe, and large urban districts such as Shawnee Mission, will continue to suffer stagnation and decline without some mechanism to go before their voters and ask for additional funds. (2) At this point there should be no further argument about our ability to constitutionally provide budget authority in some districts which far exceeds authority available to other districts. This is the essence of the low enrollment weighing factor. The Court made it very clear that the full responsibility to be fair to all districts and students in Kansas rests squarely on the shoulders of this legislature. I hope in 1995 we are willing to take a long range view (that doesn't require any additional state aid) as well as enacting necessary short term, stopgap measures, such as SB 97.

Thank you very much for taking time to hear this bill.



TO: Senate Committee on Education
FROM: Mark Tallman, Director of Governmental Relations
DATE: February 14, 1995

RE: **Testimony on S.B. 144 and S.B. 167**

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to offer comments on S.B. 144 and S.B. 167. We appear today in opposition to both bills, for much the same reason: both bills appear to be in reaction to inadequate funding under the current school finance system, but both present what we believe are inappropriate responses to that situation.

S.B. 144 would allow an increase in local option budgets due to high costs of doing business. While we do not completely discount the idea that operating costs may be influenced by factors that are specific to certain locations in the state, we are not convinced that these differences are best captured by comparing county average wages. But an even greater concern is that the relief offered by S.B. 144 is available only to districts which are using the maximum local option budget authority and do not qualify for supplemental general state, which by definition is limited to the wealthiest 25% of districts in the state. We cannot see any reason to justify giving a wealthy district access to additional budget authority for its students, but denying additional funds to students in the very same county that happen to resident in a less wealthy district.

S.B. 167 would allow districts to adopt a local property tax levy to finance the portion of special education costs not paid by the state. While every school district could adopt such a levy, the vast disparity in district wealth means that some districts would be able to finance these costs at an insignificant tax rate, while for other districts the local rate would be politically and economically impossible. Practically, it means that students in wealthy districts would receive more educational funding than students in poor districts. How can this possibly be in the best interest of the State of Kansas?

The solution to inadequate funding is for the State to meet its obligation to all its children, not just those who live in wealthy districts. That means funding an adequate base budget per pupil, allowing the local option budget to increase at the same time by "floating" the maximum, and funding a high percentage of special education excess costs.

Thank you for your consideration.

*Senate Education
2-14-95
Attachment 2*

02/14/95

Concerned Citizens Assoc., Inc.

Dear State Legislators:

One of your difficult issues to be dealt with is school finance. You have listened to testimony of the school boards and superintendents: their lobbyists: [paid for by our tax dollars]: the KNEA: other individuals in and out of politics: whose livelihoods depend on how much money we pour into public education.

We trust that you will read this letter from members of the Concerned Citizens Association, who live in the Shawnee Mission School District. This message is very important to the future of our children and grandchildren. Our purpose is to point out that rubber stamp school boards and their superintendents have not critiqued the message from the voters to do more efficiently for less!

Representative Cliff Franklin proposes to raise the local option budget authority to 35%! Many local politicians take at face value what they are told by the school district. We doubt that he is even aware that Shawnee Mission has increased its budget from \$179.6 Million in FY 92-93 to just under \$216 Million in FY 94-95. Senator Audrey Langworthy recently stated that the school district was suffering because revenues were flat because of the school finance formula, and the local local option budget authority being exhausted. We ask the Senator to explain how a budget can increase \$37 Million, or 20%, in just three years on flat revenues?

This is the most rapid budget increase and related taxation in the district's history! And it has come during a period when enrollments and inflation are flat! It is our belief that this excessive spending was part of a strategy by the school district engaged in to use up its local option budget as quickly as possible, in an attempt to convince the legislature to either increase the LOB or to do away with it all together.

It has been our experience that no amount of money can satisfy the spending appetite of the Shawnee Mission School District! They would easily use up an additional 10% within the year, and would be whining once again for an even higher spending authority, and more tax dollars when that occurs.

We urge you to reject this proposal and not give school districts a blank check which is ultimately what they want. We do strongly urge that any legislation to change the school finance formula include a requirement for voter approval before the current LOB lid of 25% can be exceeded!

Arbitrarily increasing the LOB 10% will not provide incentives for the school districts to live within their means: to justify those of us who pay the bills: and why more money is needed!

Senate Education
2-14-95
Attachment 3

The Shawnee Mission District frequently misrepresents the actual cost per student to district patrons, the press, and legislators, that it is underfunded compared to the rest of the State. The amount the district officials consistently give out is \$4500. The official data from the State for FY93-94 was \$6230 per student. Which is considerably higher than the State average of \$5374. Some small districts in western Kansas have much higher costs per students. Those districts do not have the economies of scale, or large number of students over which to spread overhead and other costs. If there is a close correlation between higher spending per student and the quality of education, the Kansas City, Mo. district at \$13,500 per student should be twice as good as the Shawnee Mission School District at \$6,230, which in turn should be twice as good as some of the local parochial schools at \$3,600. This of course, is not the case!

Another issue of great concern was the district's handling of the \$140 Million bond issue passed last Spring. They created the impression of overwhelming support of 67% of the voters. The reality, with a 25% turnout, only 17% of the voters in the district voted yes. The other 83% either voted no or abstained by not voting at all! Many did not vote because the district misrepresented the mill levy: the actual cost of the bond issue: how the bonds were to be paid for.

It is our belief that many voters did not turn out because they were misled into believing that the additional mill levy impact would only be 3 mills, when in reality it will be over 6 mills! Also, they did not realize that more than half of the \$285 Million indebtedness associated with the bond issue would be paid for by continuing the levy from previous bond issues even after they are paid for. In other words, contrary to belief, there is no "sunset provision" for the added taxation associated with general obligation bonds.

This is a mockery submission of such bonds to a vote when one considers after they are paid off, the taxation associated with those bonds can go on forever without further voter approval!

Voter realization did not encompass the fact that their future was mortgaged heavily when the district backend loaded \$116 Million of the \$285 Million indebtedness into the last seven years of the 25 year amortization schedule! These actions appear to have been deliberate to create the illusion in the minds of the voters that the cost of the bond issue would be considerably less than it will actually be.

An after-shock of learning came after speaking with the District Attorney, our Attorney General, the Secretary of State, is that current statutes are extremely weak or non-existent in their requirements for governing bodies and public officials to make full disclosure of all pertinent information prior to asking the voters to approve a bond issue with tax-payer's money.

"Certificates of Non-Litigation" are not worth the paper they are written on! Apparently, there are no criminal penalties if the public is defrauded by a governing body or public officials to gain a positive outcome in bond elections. We hope that you will support a bill being introduced by Representative Clyde Graeber to address this issue of full disclosure. Governing bodies should be held to at least the same standards we hold commercial financial institutions to when dealing with the public and their monies.

Wasteful spending is exemplified by the cost to build a new elementary school will be 50% more per foot than a comparable school in the DeSoto district. \$35 Million for air conditioning was not essential and will raise operating and maintenance costs dramatically. This is sure to put an upward pressure on taxes. Four existing buildings will be replaced because the district knows it can get \$4500 per student in state aid for a new facility versus \$3600 for an existing one.

If the Shawnee Mission School District has such a severe shortage of funds, why are they misappropriating education dollars and using them for social programs? The latest example is of establishing nurseries for unwed mothers in several high schools.

Not only is this an improper use of education dollars, it also sends the wrong message to our teenagers! We do agree that unwed teenage mothers should be encouraged to stay in school, but their support and that of their child should be paid for by their families first, and SRS if there is a need.

In closing, we are beginning to remind you that we - the voters - issued a mandate last November to control taxation and spending at all levels. This cannot be done without accountability of the school districts for their spending habits because they consume 46% of our local property tax and 25% of the total state budget! Some school districts need relief, others are trying to jump on the gravy train that might result from poorly crafted legislation. Kansas now ranks among the fifteen worst states for tax burdens on its citizens. Continuing this trend, it becomes increasingly difficult to attract new businesses and economic development regardless of how good our school system might be.

Our pledge for accountability is in your hands. The depth to which your decisions can withdraw more tax money from the taxpayer's pockets has reached the area of the family's "Disposable Income!" From there new home sales occur, vacations, food and clothing, their family's wants and needs. And when exhausted, business ceases, employment and incomes stop! Your hands must grasp this message of hope and opportunity as prescribed by the mandate of the voters!

Thank You. G. Gordon Thomas, Concerned Citizens Association.

John McDonough 8530 Bradshaw, Lenexa, Kansas 66215 (913) 888 4455
Representing The National Organization "Citizens For Educational Freedom"

Presentation At Public Hearing Held By The Education Committee Of The Kansas State
Senate Concerning Tax Increases To Further Enrich The Public Schools. Feb. 14, 1995.

Committee Chair, members, I'm here to oppose Senate Bill Number 144 because it is unconstitutional -- unconstitutional because it would discriminatorially fund only public school students, and not private school children, too -- unconstitutional because the Kansas Bill Of Rights requires equal treatment & religious liberty ✓ for all -- unconstitutional because Article 6 requires all educational interests of the state be treated suitably, financially. WHY NOT START OBEYING THE CONSTITUTION HERE IN THIS COMMITTEE? -- THERE BEING NO RATIONAL LEGAL EXCUSE NOT TO.

I have for you a brief listing of suggestions for improving the quality of life of Kansans -- by controlling Kansas' exploding taxation, which this committee has chiefly been responsible for; and which exploding taxation is hogged by the public school lobby; but its never enough -- already costing Kansas taxpayers some \$3 billion dollars yearly -- about \$3,000 per household a year for public schools; but its never enough:

- 1.) Here are alternatives to higher taxes: Tuition and more fees at public schools, too!
- 2.) And Vouchers at all schools -- for economy, liberty, safety, markets instead of socialist monopoly of education; & without all that government pork for parents who can pay.
- 3.) Create at the Kansas state level an equivalent of the senators Danforth and Kerrey Commission On Entitlements And Tax Reform -- to discontinue subsidies to those who can pay their own bills -- and who don't need welfare & entitlements from the taxpayers. & to get a handle on the public school monopoly that wants us to keep-on-coughing-up ever more of the family budget so they can maintain and keep on increasing their Santa Clause giveaways -- and want you legislators to keep on being their Santa Clause helpers.
- 4.) This at the time when the voters want lower taxes, downsized government, limited bureaucracy, and getting government off our backs and out of our pockets and purses.

✓ **RELIGIOUS LIBERTY:** QUOTING FROM THE KANSAS BILL OF RIGHTS, "... THE DICTATES OF CONSCIENCE SHALL NEVER BE INFRINGED .. NOR SHALL ANY CONTROL OF OR INTERFERENCE WITH THE RIGHTS OF CONSCIENCE BE PERMITTED ..." WHILE RIGHTS OF CONSCIENCE MUST NOT BE INFRINGED OR INTERFERED-WITH, FAMILIES ARE BEING TREATED WITH SUBSTANTIAL INFRINGEMENT AND INTERFERENCE -- ACCOMPLISHED THROUGH ZERO EDUCATION FUNDING WHILE OTHER STUDENTS BENEFIT BY AS MUCH AS \$10,000 EACH, IN FREE BENEFITS, ANNUALLY. AND ALL PUBLIC SCHOOL STUDENTS ARE COUNTED TO RECEIVE AT LEAST \$3,600 EACH ANNUALLY, WHEREAS PRIVATE SCHOOL CHILDREN ARE SKIPPED IN THE BENEFITS COUNTS AND DISTRIBUTIONS.

Senate Education
2-14-95
Attachment 4

Nonsectarianism

Exhibit 1
Page 1

6. (e) No religious sect or sects shall control any part of the public educational funds. ✓₂

Section 6 (e) continues the provisions of present Section 8 of Article 6 which prohibits any religious sect from controlling any part of the common-school or university funds of the state. This proposed provision substitutes the words "any part of the public educational funds" which would cover both local tax funds and funds of the state, and thus would have the same scope as the original wording. This language does not prohibit the appropriation of public funds to indirectly benefit private institutions, associations, or corporations. ✓₃

- 36 -

FROM PUB. 256

Exhibit 1
Pg 2

In connection with the drafting of federal aid to education bills in Congress, it was decided that wording such as is used in 6 (e) would not prevent the distribution of public funds for students in private schools. As long as the funds remain under public control they can be distributed to pupils attending private schools. Present constitutional interpretation is that neither the existing constitution nor the proposed amendment prohibits the distribution of public funds for the benefit of pupils in private parochial schools. Administration of tax revenues, distribution, control, and receipt of funds must remain under public control. As long as these conditions are met, funds may be distributed for the purpose of benefiting pupils in the private schools. The child, rather than the private organization, thus is benefited. Therefore, there is nothing in the proposed language that would impede or obstruct the distribution of federal funds to private schools. ✓₁
✓₄
✓₄
✓₅

- 37 -

PUBLICATION 256

The Kansas State Constitution On Eligibility For Student Education Financial Assistance From State Government.

In 1965, by an official act of the Kansas state government, a committee of state government officials was formed to study and to prepare for a 1966 vote of the people of Kansas -- intended to change the education section of the state constitution. The Legislative Council produced "Publication 256," which set-up the constitutional change wordings that the voters of Kansas approved on November 8, 1966 -- 280,400 YES 211,027 NO.

This committee was chaired by Lt. Governor John W. Crutcher, with Speaker Of The House Clyde Hill as Vice Chairman. 10 State Senators and 14 State Representatives served as committee members. On page 37 of "Publication 256" is this official intent/wording: "In connection with the drafting of federal aid to education bills in congress, it was decided that wording such as used in:

- (Clause No.1) "Article 6 (e) would not prevent the distribution of public funds for students in private schools." 6 (e) page 36 reads:
- (Clause No.2) "No religious sect or sects shall control any part of the public educational funds." The Council report continues:
- (Clause No.3) "As long as the funds remain under public control they can be distributed to pupils attending private schools."
- (Clause No.4) "Present constitutional interpretation (1965) is that neither the existing constitution nor the proposed amend-ment (set for 1966 public vote) prohibits the distribution of public funds for the benefit of pupils in private parochial schools."
- Clause No.5) "**The child, rather than the private organization, thus is benefited.**" Emphasis added.
This Kansas language is the language used by the U.S. Supreme Court in Mueller, Witters and Zobrest.

SMITH

From State v. Smith, 155 Kan. 588, 596 (1942): "Section 7 of our Bill Of Rights, and Article 6, section 2, each being a part of our constitution, must be construed together. While under Article 6, section 2, the legislature is required to establish a system of schools, in doing so it cannot violate section 7 of the Bill Of Rights."

Emphasis Added

PIERCE

From the 1925 U. S. Supreme Court decision (268 U.S. 1070) Pierce v. Society Of Sisters Of The Holy Names Of Jesus And Mary, and Hill Military Academy, the court deciding as follows:

"The fundamental theory of liberty upon which all governments in this union repose excludes any general power of the state to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the state; those who nurture him and direct his destiny have the right coupled with the high duty, to recognize and prepare him for additional obligations."

VOUCHERS ALREADY IN KANSAS

At the present time there is already a voucher plan in existence here in Kansas. The Kansas Tuition Grant Program. These 6,000 to 7,000 vouchers per year, are need-based grants that ~~assist students~~ who choose Kansas private institutions -- to \$1,700 per voucher, federal and state funded. The costs involved are less than 25% the costs at the state universities. Recipient students are enrolled at Baker, Benedictine, Bethany, Bethel, Brown, Central, Donnelly, Friends, Heston, McPherson, Nazarene, Newman, Ottawa, Southwestern, St. Mary, Sterling, Tabor, and Wesleyan.



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

Craig Grant Testimony Before
Senate Education Committee
Tuesday, February 14, 1995

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas NEA. I appreciate this chance to visit about SB 144.

We have supported, in the past, by both testimony and written word, the concept of a cost of doing business factor in our school finance formula. We have not passed a policy statement which states what exactly that formula should be. The formula espoused in SB 144 may very well be the correct one.

Our position, however, on cost of doing factor is that it should be a regular weighting factor rather than an additional local option provision. If it were changed to a regular weighting factor, we could support that concept.

Because of the construction of SB 144, we do not support the bill currently. Thank you for your help on this matter.

MARK PARKINSON
SENATOR, 23RD DISTRICT
REPRESENTING GARDNER, OLATHE,
OVERLAND PARK, SPRING HILL
15587 S. GREENWOOD
OLATHE, KANSAS 66062
913-829-5044



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS
CHAIRMAN: LOCAL GOVERNMENT
VICE CHAIRMAN: JUDICIARY
VICE CHAIRMAN: JOINT COMMITTEE ON
SPECIAL CLAIMS
AGAINST THE STATE
MEMBER: FEDERAL AND STATE AFFAIRS
ELECTIONS

SENATE EDUCATION COMMITTEE

Chairperson: Senator Dave Kerr
Vice Chair: Senator David Corbin
Ranking Minority Member: Senator Doug Walker

TESTIMONY IN SUPPORT OF SB 167

At the outset, I would like to thank the Chairperson, Vice Chair and Ranking Minority Member for agreeing to hold this hearing today on SB 167. I know that there are great demands on this committee, and I appreciate your willingness to take the time to look at this proposal.

I am here to testify in favor of SB 167. Senate Bill 167 would allow local school districts to levy an ad valorem property tax for purposes of paying for special education programs. Specifically, it would allow the local school district to levy an amount that would be equal to the difference between the expenditure on special education and what the level of state funding is for that particular year.

The rationale for this bill is quite simple. Local school districts are mandated to provide these services, yet funds are not provided for that mandate. Under the current law, many school districts across the state are required to transfer money from their general fund in order to pay for these mandated services. The impact is that regular services are inadequately funded, and the quality of education that we would like to provide is not available.

*Senate Education
2-14-95
Attachment 6*

This bill would remedy that problem by allowing local school districts to levy taxes to obtain the money for special education. This would protect the money that we provide for their general operating budgets and insure the level of expenditure we have provided when we provide our base per pupil amount.

Obvious concern over SB 167 is whether it is disequalizing. I understand the concern, but in some respects, it might actually serve to equalize. For example, in school districts that have rejected a local option budget, this bill would provide them with budget authority that is not presently available.

Again, I appreciate your willingness to consider this bill and would attempt to answer any questions that the committee may have.



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

Craig Grant Testimony Before
Senate Education Committee
Tuesday, February 14, 1995

Thank you, Mr. Chairman. I am Craig Grant and I represent Kansas NEA. I appreciate this chance to speak to SB 167.

We applaud the authors' recognition that special education is an important item and that this program can drain important revenue from the general fund in years when the excess cost of special education is not funded as generously from the state.

Our problem actually lies in the fact that the "property rich" districts will be able to fund any differences much more easily than other "property poor" districts. We all need to adequately fund this mandated program from state and federal sources rather than from sources that have unequal abilities to raise the funds.

For this reason, we must reluctantly oppose SB 167. Thank you for listening to our concerns.