

Approved: 2-13-97  
Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION.

The meeting was called to order by Chairperson Michael R. O'Neal at 3:30 p.m. on February 5, 1997 in Room 519-S of the Capitol.

All members were present except:

Representative Jim Morrison - Excused

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

Conferees appearing before the committee:

Representative Robin Jennison  
Gina Aurand, Courtland Kansas  
Brad & Holly Snyder, Fairview, Kansas  
Allaire Homburg, Superintendent of Schools, U.S.D. 293  
Mark Tallman, Kansas Association of School Boards

Others attending: See attached list

Hearing on **HB 2098 - school districts, enrollment and transportation of non-resident pupils**, were opened.

Representative Robin Jennison appeared before the committee and explained that currently a student may go to another school other than one in the district they live in. The proposed bill would allow a student who lives at least 10 miles away from the school building in their district but closer to a school building in another district to be picked up by the school district that is closest to them and transported to that school. (Attachment 1)

Gina Aurand, Courtland Kansas, appeared before the committee as a proponent. She stated that living in a rural area there are many families that live closer to a school that is not in their district and they choose to transport their children to that school because they prefer not to have their children riding a school bus for 1 to 1 1/2 hours each way. Having parents transport children sometimes causes a hardship because both parents work and have to make sacrifices for getting their children to school. If schools were allowed to transport children across district boundaries it would be easier for the families and many children would only have to ride a bus for 15 - 20 minutes each way. (Attachment 2)

Brad & Holly Snyder, Fairview, Kansas, appeared before the committee as proponents. They told the committee that they have requested several times that Sabetha school be allowed to pick up their children in the Hiawatha District and transfer them to school. Each time they have been turned down. The only reason they have received was because each student that would attend Sabetha would represent \$3,600 that Hiawatha schools didn't receive. They felt that their kids are worth more money than \$3,600 and that a top priority of all schools should be transferring children safely to school. (Attachment 3)

Allaire Homburg, Superintendent of Schools, U.S.D. 293, appeared as a proponent. Quinter U.S.D. 293 has been allowed to transport children living in the Collyer U.S.D. 208 area to Quinter to attend schools. This year U.S.D. 208 decided that they would no longer allow a bus to enter their district to transport students to Quinter. He agreed that many school districts consider children as money. (Attachment 4)

Mark Tallman, Kansas Association of School Boards, appeared before the committee as an opponent of the bill. He was concerned that once this exception is made that there would be the pressure to expand the scope of the bill and grant exceptions for many other things. (Attachment 5)

Hearing on **HB 2098** were closed.

Chairman O'Neal announced that the following committee members were assigned to a sub-committee to study **HB 2003**: Representatives Aurand, Ballou, Franklin, Wells, & Wempe.

The committee meeting adjourned. The next meeting is scheduled for February 10, 1997.

# HOUSE EDUCATION COMMITTEE GUEST LIST

DATE: February 5, 97

NAME	REPRESENTING
Mart Tallmer	KASD
Diane Gierstad	USD 259
Sue Choso	KUFA
Lina Award	/
Bruce Snyder	
Kelly Snyder	
T. D. W. C. Travis Snyder	
Charlotte Sealy	
Aushel Stor	Cit.
Mike Wilson	
Jacque Dikes	SQE
Pat Lehman	Olacks USD 233
Debrah Elden	Sumner Co. Leadership, Wellington
John M. Brown	KSD
Karen Sawyer	WAB
Neal Mann	USD 293
Kelly Lass	Target - Leadership Garden City
Marcy Ryan	USD 457
Gina M. Horsfall	Sunflower Electric - Leadership GC



ROBIN L. JENNISON  
 RR1, BOX 132  
 HEALY, KANSAS 67850  
 (316) 398-2238  
 381-W STATE CAPITOL  
 TOPEKA, KS 66612-1504  
 (913) 296-7662



STATE REPRESENTATIVE  
 117TH DISTRICT  
 HODGEMAN, LANE, NESS  
 RUSH AND FINNEY COUNTIES

## House Majority Leader

TESTIMONY ON HB ~~2154~~ 2098

Mister Chairman and Members of the Education Committee:

Thank you for the opportunity to testify regarding House Bill 2098. The need for 2098 results when families living in the sparse areas of Western Kansas live closer to an attendance center in a neighboring district than they do to the attendance center in their own school district. Families who find themselves in this situation have always been able to go to the school outside their district with approval of that school, however, unless the students' home school district allowed it, the receiving school could not send buses to the students' homes to pick them up. Many families have dealt with this situation by meeting school buses at district lines or some other pre-determined pick-up point. To me this has always seemed like an inconvenience a family should not be subjected to just to go to the closest school to their residence, probably located in the town where they go to church, buy groceries and visit friends.

In recent times, rural Kansas like urban Kansas has seen more and more families with both parents working. The inconvenience that existed before is now exacerbated, when not only do the parents need to meet a bus at some pre-determined point in the middle of nowhere but they must make it to work on time sometimes in a different town, in a different direction up to 50 miles away. Then arrangements must also be made to meet the bus after school. This situation makes it very difficult for a family to send their child to the closest school if the school can't pick the child up at the residence.

*House Education*  
*Feb. 5, 1997*  
*Attachment #1*

DATE: FEBRUARY 5, 1997

TO: THE HOUSE EDUCATION COMMITTEE

FROM: GINA AURAND

SUBJECT: HB 2098

Mr. Chairman and members of the Education Committee, I would like to thank you for allowing me to speak to you regarding HB 2098. As a parent, this bill is very important to me because in 3 years I will have to decide whether or not to put my 5 year old on the bus or to drive her to a school that is closer than our district school. At this time I would have to put Lexia on a bus at 7:00 a.m. where she would have to change buses and ride 25 miles to school. However, I have many reservations about a five year old being on the bus longer than an hour especially when we have a good public school literally eleven miles down the road. This school is located in the town we consider to be our home town. It is the place where we bank, where we go to church and the place that most of our neighbors send their children.

We currently have two families near us that drive their children to school everyday because our school district will not allow the bus of the closer school to cross district lines. These parents have been forced to be inconvenienced twice a day for years, but continue to do it because they feel that it is what is best for their children. In the next three years the number of children being driven to school in our area will grow from six to ten.

*House Education*  
*February 5, 1997*  
*Attachment #2*



What bothers me the most about this is that the school district will not allow the bus to come in to pick up these children NOT because they feel that their school can provide them with a superior educational experience, but rather that these children to them symbolize \$3648 apiece that they will not collect from the state. It upsets me that when we talk about educational issues the first question asked is rarely, "What is best for the child?", but rather "How is this going to affect the district, administration or faculty?". All too often it seems that what is best for the student and their family is given little or no consideration.

Studies have shown that children learn and test better when they are not working on empty stomachs. I find it hard to believe that a five year old who has to eat breakfast at 6:30 A.M. in order to get on the bus at 7:00 A.M. will learn well on the graham cracker and milk they receive at 10:00A.M. and then make till 12:45P.M. when they get home for lunch.

Parents should be able to have their child go to a closer school if they feel it is in their child's best interest. Who knows what is best for a child, their parents or a school board? My child is not \$3648, she is an active 21 month old who, in a short time, will be an active 5 year old. Without your help, for 186 days a year, I will have to drive either to meet a local bus or take my child all the way to school. On the days when this is just not possible for me I will have to enlist the help of my husband, family, or friends. I am able and willing to make this sacrifice for my children, but not all families are so fortunate. Because in many families both parents work and they are not able to make this commitment, even though they would like to. Their decision has been made for them.

As a parent I feel that it is ridiculous that with half day kindergarten my child will spend almost as much time on a bus as she will inside a classroom. As you consider this issue please consider the children who are affected. Thank you for your attention and your time.

Gina Aurand  
Rt. 1 Box 151  
Courtland, KS 66939  
913 361-4900

TO: Members of the House of Education Committee  
FROM: Brad and Holly Snyder from rural Fairview  
DATE: February 5, 1997  
MEMO: Support for Proposed Bill

We are in support of this Proposed Bill and are very grateful for the opportunity to explain our position and tell you why this bill would provide a long awaited solution. Our goal is to provide safe, efficient, and practical school bus service to and from our home for our children.

We have three children, Trent who is in the 2nd grade, Shayna who is in the 1st grade, and Travis who is in preschool. Our children currently attend school at USD #441 and it is our intention that they will continue to do so. Our reasons for this decision are numerous. Brad and I, Sabetha graduates ourselves, come from a long line of Sabetha graduates. Most of our extended family live in or around the Sabetha area and are available to help us out in the event of an emergency. We both work in and around the Sabetha area. We attend church in Sabetha. Our doctor is in Sabetha. We do our shopping in Sabetha. Sabetha is the town and community we identify ourselves with; the place we call home. It only makes sense for our children to attend school there also.

The Fairview School consolidated with Hiawatha, USD #415, in 1966. We assume this was an attempt to fix something that wasn't working. The Fairview Board Members who made these decisions are all deceased, so their reasons for consolidation are sketchy. We have heard it said that Hiawatha promised Fairview they could always maintain their elementary school. The elementary school was closed down a few years later.

In 1973, my family (Holly) moved to the house where I now reside with my husband and our own family. Our home is 1 mile within the Hiawatha district lines. We live 6 miles from the Sabetha schools, 12 miles from Hiawatha schools, and more than 20 miles from Hiawatha's Middle School in Robinson. I was in the 2nd grade when we moved to this location and I attended Sabetha schools along with my sister and my brother. At that time, Hiawatha School District would not allow a Sabetha School District bus to enter their district and pick us up for school, even though the request was made several times. There were years that a Sabetha School Bus actually went right by our house, due to their bus routes, and could not pick us up. Therefore, my parents had to meet the Sabetha school bus at an open and operating gas station just inside the Sabetha district lines, which was about 2 1/2 miles from our home. This meant meeting the bus twice a day for my parents -- there were years they had to meet the bus three and four times a day due to kindergarten and activity bus routes.

Over the past 24 years, the number of kids from the Fairview area attending Sabetha schools has grown from a few to 58 students this year. Some other factors have changed also. In 1994, we began meeting the bus at the same gas station with our kindergarten age son. The only difference being that gas station is now closed and abandoned. Fourteen members representing a group of concerned Fairview parents went to the Hiawatha School Board with the problem and a proposed solution. We asked for one Sabetha school bus stop in Fairview at a local church. Our request was turned down on the basis of money. Each child that attended Sabetha from their district represented \$3600 from the state they did not get. What the Hiawatha School Board was telling us was that \$3600 (money that they were not getting anyway because those children are already attending Sabetha schools) was more important than the safety and well being of our children. We, concerned parents of Fairview, have made our request annually for one Sabetha stop in Fairview to no avail.

*House Education  
Feb. 5, 1997  
Attachment 3*



The 1996 school year presented new problems of its own. We are no longer able to meet the bus at the abandon gas station. The Sabetha bus stop was changed to a public rest stop four miles south of Sabetha for safety reasons. I don't believe the stop is a bit safer and it is further away. My husband and I now have three children attending school at Sabetha. This means an eight mile round trip three times a day to meet the school bus.

We, my husband and I, decided since we hadn't got anywhere as a group we would try another approach as an individual family. We proposed a land transfer and followed the Recommended Procedure for Transfer of Territory for One School District to Another (K.S.A. 72-7108). We gathered all our information and presented our request for the land transfer to both superintendents and both school boards. We had the support of the Sabetha school board. When we presented our proposal to the Hiawatha school board, we did get a motion for the land transfer to proceed but the motion died for lack of a second. We were never given a reason why. The only families affected by the land transfer were us and another family already attending Sabetha. Our next request of the Hiawatha school board was for Out-of-District Transportation, which Hiawatha does grant to individuals attending a school on its south border. Again, we were turned down.

We believe we have a major problem here. In our small rural community it affects 58 kids. Over the years, the Fairview area students attending Sabetha USD #441 have had no representation on either school board. We are convinced the local school board is not going to help us. We believe change will have to come from above them. Something was not working back in 1966 when consolidation occurred. Something is not working now and we are told nothing can be done. We refuse to take no for an answer. We are not talking about \$3600 per head, we are talking about our children and to us they are priceless.

We want to thank you for listening to us and working with us for a solution to a problem that is not just going to go away.

ALLAIRE T. HOMBURG, TESTIMONY  
LEGISLATIVE HEARING  
FEBRUARY 5, 1997

Honorable members of the legislature, and honored guests: I would like to thank you for this opportunity to visit with you.

My name is Allaire Homburg, and I am the Superintendent of Schools at Quinter, U.S.D. # 293. Quinter U.S.D. # 293, is a small school district located 50+ miles west of Hays, on I-70.

I am here to testify in favor of H.B. 2098. In order to explain why we are in favor of this bill, I need to tell you about our unique circumstances. Our school district is located on the east part of Gove county. The county to our east is Trego. Collyer is a small community on the west edge of Trego County. Collyer is a part of U.S.D. # 208, although the town of Collyer is eight miles from Quinter and 12 miles from WaKeeney. Approximately nine years ago the Board of Education of U.S.D. # 208 closed the elementary attendance center at Collyer. At that time the people of Collyer, that had school-age children decided where they would send their children. Many of them for various reasons decided to have their children attend school in Quinter. Up until this year, a bus from Quinter U.S.D. #293, was allowed to transport those children living in the Collyer area to Quinter to attend school. This year the Board of Education of U.S.D. # 208 decided that they would no longer allow a bus from U.S.D. # 293 to enter their district to transport students to Quinter. This has created some difficulty for the Collyer students and parents. We now pick up some of those students within the boundaries of our district. This means that the parents have to either take their children to the pick up point, or take them all the way to Quinter.

The reason for the decision of the U.S.D. # 208 Board of Education was purely monetary. Now that children = money the U.S.D. # 208 Board has decided that they now want those children. Earlier when the Collyer school was closed the patrons of Collyer tell me that they were "Encouraged" to attend school at Quinter. We were glad to have these students attend school at Quinter. We are still very pleased that these students are "Our" students.

This bill that you are now considering would not change our enrollment. It would, however, allow our students from Collyer to once again be transported safely on our buses. We are not intending to do anything differently than we have been doing for the past nine years. We only want to be allowed to do what we were formerly allowed to do.

*7 House Education*  
*Feb. 5, 1997*  
*Attachment 4*



TO: House Committee on Education  
FROM: Mark Tallman, Director of Governmental Relations  
DATE: February 5, 1997

**RE: Testimony on H.B. 2098**

Mr. Chairman, Members of the Committee:

Although KASB appears today in opposition to H.B. 2098, it is not because we disagree with the sponsors' desire to accommodate children and families who have real concerns about transportation which they have not been able to resolve locally. We recognize that this bill is more limited than similar legislation from past sessions.

Our concern is that once you open the door to bussing across district lines, it will be very hard to draw any other lines. This bill essentially allows the State Board to grant permission for cross district bussing in cases of hardship due to distance and time. But if this principle is established, why not other types of hardship? Why not any number of other reasons? What if a family wants transportation to attend another district because of academic programs - or even athletic programs?

Rep. Aurand is always forthright in his support for increasing school choice for families. But it is important to note that this bill - like so many other school choice proposals - still leaves the choice with the school, not family. This bill would only apply to cases where a district is willing to accept a nonresident student, where the district is willing to send a school bus to pick up the students, and willing to do it without receiving state transportation aid.

Because of these limitations, the consequences of passing H.B. 2098 in its present form are unlikely to impact many students or districts. Our concern is that the pressure to expand the scope of this measure will almost certainly grow, and the Legislature will face a new set of problems to confront.

Thank you for your consideration.

*House Education  
Feb. 5, 1997  
Attachment 5*