

Approved:   
Date

## MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Chairperson Barbara Lawrence at 9:00 a.m. on February 18, 1997 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Ben Barrett, Legislative Research Department  
Carolyn Rampey, Legislative Research Department  
Avis Swartzman, Revisor of Statutes  
Jackie Breymeyer, Committee Secretary

Conferees appearing before the committee: Gloria Timmer, Director of the Budget  
Mark Tallman, Kansas Association of School Boards  
Craig Grant, Kansas National Education Association  
Barbara Cole, Kansas National Education Association

Others attending: See attached list

Chairperson Lawrence called the meeting to order on SB 182--determination of certain weightings

Gloria Timmer, Director of the Budget, appeared first on the bill. She stated that more children are at-risk today due to the growing pressures placed on families by society. At-risk programs must be enhanced today, rather than pay higher costs tomorrow. Kansas has currently 109,754 students who have been identified as at-risk for school finance purposes. Kansas provides \$20 million to enhance the at-risk child's education. The governor's proposal would increase this amount to provide a total of \$24 million for a total of \$219 per at-risk pupil. The correlation weighting is currently affecting 289,500 students in 48 districts in the state at a cost of \$19.1 million. Implementation of the governor's recommendation would benefit a total of 291,400 students in 49 districts at a total cost of \$38.9 million per year. The state must recognize the increasing costs associated with the demands placed on the education community. The increase of \$22 to base per pupil aid is appropriate to continue providing a quality education to all Kansas students. (Attachment 1)

Ms. Timmer was asked if there had ever been any discussion in the governor's office of a better definition of at-risk weighting.

She responded, yes, there had been discussion; do they have a better definition? No.

Ms. Timmer stated that the governor had met with education officials on priority issues such as correlation weighting and declining enrollment. He received a composite of information from all sources.

Several Committee members made comments on enrollment, correlation weighting and at-risk funding.

Ms. Timmer's response to these comments was that the problem with long-term planning is the money is further and further out and there is no certainty the money will be there.

Mark Tallman, KASB, appeared on the bill, stating that KASB supports all of its provisions (Attachment 2) He believes this Committee should consider at least some level of additional support for elementary and secondary education in this bill. Recommendations put forward were: Raise the weighting to .07 in FY 1999 and .075 in FY 2000; provide some increase in state transportation aid; adopt the declining enrollment provision recommended by the interim committee; and address the local option budget issue.

Craig Grant, KNEA, addressed the bill, stating that KNEA was pleased with the proposals of Governor Graves in the area of school finance. (Attachment 3) These proposals are important first steps and are appreciated. Changes that KNEA would like to consider are: include the declining enrollment recommendation of the interim committee; increase at-risk to at least .075 as the interim committee suggested; raise the base budget even higher; and attempt to deal with the LOB problem.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, ROOM 123-S-Statehouse, at 9:00 a.m. on February 18, 1997.

Mr. Grant was asked how one measures the success of any at-risk program.

Mr. Grant responded that the ultimate measure would have to be how well the student does who goes through a program. Do they get their degrees. The program has not been in effect long enough to know the full extent of what the outcome is going to be and what happens to these students. Some of them get back into the regular mainstream schools or they finish the program and get a job.

Chairperson Lawrence commented that if we want this to be a long-term solution, the better place to put at-risk dollars is at the elementary level, while not giving up on the older students.

It was commented that the Parents as Teachers program is still not funded. Just because a program works doesn't mean the funding will be there.

Chairperson Lawrence asked conferees, Jacque Oakes, Helen Stephens, Diane Gjerstad and Gerald Henderson if they could return tomorrow so the final conferee from yesterday's meeting could present her testimony.

**SB 170**--teachers; hearings provided upon notice of nonrenewal or termination of contracts of employment

Barbara Cole, President, KNEA, spoke in opposition to the bill and submitted testimony in rebuttal of some information that had been previously presented. (Attachment 4) She told of her attempts at resolution of this conflict between KNEA, KASB and USA. She said that accusing KNEA of not cooperating with efforts to resolve this issue is an amazing interpretation of facts. Only when faced with passive resistance did the organization resort to defending the status quo.

Ms. Cole ended her testimony by stating that a fair dismissal procedure is objective and non-political, recognizes the professional dignity and worth of all those involved, and provides accountability to the public for whom our schools exist. She thanked the Committee for its time, attention and consideration.

The comment was made that a rehearing of all the facts that are heard by a board, are heard again in front of a hearing officer, as compared to a case where the Court of Appeals would be look at the already established record and make its determination.

Ms. Cole replied that she could only respond that teachers feel that would not offer them the same level of security.

The Chairperson thanked the conferees and stated the hearing on **SB 182** would continue tomorrow.

The meeting was adjourned.

The next meeting is scheduled for February 19, 1997.

# SENATE EDUCATION COMMITTEE GUEST LIST

DATE: February 18, 1997

NAME	REPRESENTING
HAROLD PITTS	OBSERVE
Jana Ottwell	observing
Robin Boase	Parent
Cynthia Menzel	KNEA
Barbara Cole	KNEA
Sheryl Hoffe	KNEA
Lee Sunning	KNEA
Sheila Feahn	KACC
Mary De Nault	KNEA
Diane Gjerstad	USD 259
Debbie Apt	USD 500 - USA
Grant Denny	Sen. Goodwin's Office
Wesley T. Martz	NEA-KCK BOE# 500
Bruce Coeden	Kansas NEA
Pat Lehman	Olahe USD 233
Robin Lehman	" " "
Katherine Weickert	USA
Dorothy Koebfeller	LOWV
Craig Grant	KNEA

# SENATE EDUCATION COMMITTEE GUEST LIST

DATE: February 18, 1997

NAME	REPRESENTING
Mark Tallman	KASB
Ken Bahr	KACC
Jimi Youally	USD #512
Jacquie Dakes	SQE
Ben Chase	KNEA
Margie A. Blouffner	KNEA
Greg Brownfield	KNEA
April Parker-Allen	Crossroads of Leadership
Diane Lynn Briestensky	" " " " "
Sherry L. Fung	Crossroads of Leadership (JC)
Susie Smith	" " " "
LEW JENE SCHNEIDER	Ks. LIVESTOCK ASSOC
Christy Lewing	Olathe NEA
Gene Neely	KNEA
Ashley Sherard	Overland Park Chamber
Bernie Kosh	Wichita Area Chamber
Gerald Henderson	USA of KS
Bill Levinson	Crossroad of Leadership Judaica Coll. Ks
Randy Evans	USD 431

STATE OF KANSAS



DIVISION OF THE BUDGET  
Room 152-E  
State Capitol Building  
Topeka, Kansas 66612-1504  
(913) 296-2436  
FAX (913) 296-0231

Bill Graves  
Governor

Gloria M. Timmer  
Director

MEMORANDUM

TO: Senate Committee on Education  
Senator Barbara Lawrence, Chairperson

FROM: Gloria M. Timmer, Director of the Budget

DATE: February 18, 1997

SUBJECT: SB 182

Senator Lawrence and members of the Senate Education Committee, I appreciate the opportunity to appear before you today in support of SB 182. This bill would increase the base state aid per pupil from \$3,648 to \$3,670; drop the correlation weighting from the authorized 1,825 to 1,800 students; and increase the at-risk weighting from .05 to .06 for FY 1998. As you know, the amounts included in *The FY 1998 Governor's Budget Report*, fully fund this act at a cost of \$26.0 million.

As the Governor outlined in his Legislative Message, more children today are at-risk due to the growing pressures placed on families by society; therefore, we must enhance at-risk programs today, rather than pay higher costs tomorrow. Currently, Kansas has 109,754 students who have been identified as at-risk for school finance purposes. For these children, Kansas provides \$20.0 million to enhance at-risk child's education. The Governor's proposal would increase this amount to provide a total of \$24.0 million for this special population or a total of \$219 per at-risk pupil.

Several of our urban districts are facing severe problems associated with urban society and the acceleration of the fourth year of correlation weighting is needed to address the inequity in the school finance formula as identified by the 1995 Legislature. The correlation weighting is currently affecting 289,500 students in 48 districts in our state at a cost of \$19.1 million. Implementation of the Governor's recommendation would benefit a total of 291,400 students in 49 districts at a total cost of \$38.9 million per year. This funding will provide a total of \$133.49 per pupil.

*Senate Education*  
*2-18-97*  
*Attachment 1*

Finally, the bill addresses the need to maintain Kansas' history of providing a quality education to all our children. We as a society are asking more and more from education and we must to recognize the increasing costs associated with the demands placed on the education community. The increase of \$22 to base per pupil aid is certainly appropriate to continue our heritage of providing a quality education to all Kansas students.

Thank you for the opportunity to explain this bill. I would be happy to answer any questions.

SB182

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS



1420 S.W. Arrowhead Rd, Topeka, Kansas 66604  
913-273-3600

TO: Senate Committee on Education  
FROM: Mark Tallman, Director of Governmental Relations  
DATE: February 18, 1997  
  
RE: Testimony on S.B. 182

Madam Chair, Members of the Committee:

S.B. 182 reflects the Governor's recommendations for school funding. It would increase the base budget per pupil from \$3,648 to \$3,670.; fund the final two steps in correlation weighting as initiated by the 1995 Legislature; and increase the at risk pupil weighting from 0.05 to 0.06.

KASB supports each of these provisions. We commend the Governor for making these recommendations and the Senate Ways and Means Committee for recommending the appropriations required to fund them. At the same time, we feel compelled to note that (1) this increase in the base falls short of the rate of inflation for the fifth straight year; (2) this level of correlation weighting represents only a fraction of the amount of Local Option Budgets used by every one of the seven largest districts and of the budget gap between many of the medium-sized districts and those both larger and smaller; and (3) this level of at risk funding remains far below increasing demands for services to at risk children.

The Governor's budget also proposes reductions in the statewide mill levy that will cost as estimated and \$82.9 million in FY 1998, plus other tax cuts requiring \$66.1 million, for a total of nearly \$150 million in tax cuts. School leaders cannot help but reflect on what might have been. \$150 million could increase in the base budget per pupil to \$3942 - which is still less than what the base would be if it had simply been adjusted for inflation since 1992.

Alternatively, \$150 million could be used to: reduce the threshold for state transportation aid from 2.5 miles to 1 mile (\$22.7 million); **and** raise the at risk weighting factor from 0.05 to 0.2 (\$60 million); **and** fund 100% of special education excess costs (\$60.6 million); **and** initiate the State Board's proposed early childhood at risk program (\$7.2 million). It should be clear that the tax cuts will come at the expense of educational enhancements.

We therefore believe this committee should consider at least some level of additional support for elementary and secondary education in this bill. These are our recommendations:

*Senate Education*  
*2-18-97*  
*Attachment 2*

1. In addition to raising the at risk pupil weighting to 0.06 for FY 1998, raise the weighting to 0.07 in FY 1999 and 0.075 in FY 2000. This is the level recommended by the 1996 Special Committee on School Finance, but would not increase expenditures this year.

2. Provide some increase in state transportation aid. For example, reducing the threshold from 2.5 miles to 2.0 miles would cost \$6.2 million. Another approach would be to provide additional aid only for younger students.

3. Adopt the declining enrollment provision recommended by the interim committee, which would allow districts to use either the previous year's enrollment or the current year's enrollment. The cost of this provision could be reduced by requiring district's to use the previous year's enrollment unless current year enrollment increases over some threshold amount.

4. Finally, it is critically important that the issue of local options budgets be addressed, either in this bill or in other legislation.

Thank you for year consideration.





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

Craig Grant Testimony before  
Senate Education Committee  
Tuesday, February 18, 1997

Thank you, Madame Chair. I am Craig Grant and I represent Kansas NEA. I appreciate this opportunity to speak to the committee about Senate Bill 182.

First of all, let me say that we certainly were pleased with the proposal of Governor Graves in the area of school finance. For the first time in a number of years, the recommendation for schools from the Governor's office recognizes the need to increase our investment in several key areas of school finance including:

- 1). A base budget increase;
- 2). An acceleration of the correlation weighting factor; and
- 3). An increase in the at-risk funding factor.

These proposals are important first steps and are appreciated. School districts which have been starved for funds the past couple of years can utilize these resources to continue the improvement of the educational programs provided to the students.

Having indicated our pleasure, we believe there are enhancements to the Governor's package which would assist us even more to improve. Our recommendations would:

- 1). Include the recommendations of the interim committee regarding declining enrollment. This change would allow district to better plan their finances and would eliminate the "September 20th surprises" in certain of our districts. The six million dollar price tag would be well-spent;
- 2). Increase the at-risk factor to at least the .075 level as the interim committee suggested with the hope of getting the rate up to .1 in the future. This factor currently is the lowest of the 15-17 states which utilize such a weighting factor for at-risk students. Many districts would like to set up alternative programs for at-risk students, but the limited assistance does not allow some to do so;
- 3). Raise the base budget even higher. We believe that we should aim to give districts a cost-of-living-based increase each year. The proposed increase does not approach the cost of living increase. Districts need to be working on

Craig Grant Testimony, Tuesday, February 18, 1997

improved curriculum and instruction needs rather than worry about how to fund the ever-increasing cost of supplies and utilities; and

4). Would attempt to deal with the LOB problem in this state. We would hope the base budget would be high enough to eliminate the need for LOBs; however, this is certainly not the case. As an alternative, the Legislature should grandfather in the current LOB levels and allow districts to increase a small amount of LOB authority (maybe tied to the cost of living) up to the maximum allowed without that authority being subject to a protest petition.

These changes are ones which the KNEA would like the committee to consider in its deliberations. We believe they are positive changes in the school finance law which can assist us in maintaining our strong schools. We realize that some of these recommendations will need to be funded, but it is certain that they will not be funded if the change is not made in the law. We know you will try to do what you can to assist our schools. Thank you for listening to our concerns.



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

Barbara Cole Testimony before  
Senate Education Committee  
Monday, February 17, 1997  
18,

Good morning, and thank you for this time on your agenda today. I am Barbara Cole, an English and Drama teacher at McPherson High School since 1975, and currently on leave of absence while serving as president of the Kansas National Education Association.

I am here to express our opposition to Senate Bill 170, and to rebut some information that I understand you were given last week. Although I could not be here when the proponents for this bill presented their testimony, I understand that the General Counsel for the Kansas Association of School Boards reported to you that our organization would not cooperate with them and had refused to discuss any compromise measures.

Here are the facts as I experienced them.

For more years than I care to remember, this issue of due process has been the subject of legislative debate. I have felt for some time that the battle was not a productive effort for any of us, demanding as it did an intensive effort that drained our attention and our resources away from other issues also important to public education. Because of this conviction, last year during a meeting in which the Executive Director of both the KASB and USA (United School Administrators) were present, I asked them to meet with me to discuss possible resolutions to this recurring conflict. Although they both agreed, Mr. Koepke had no open dates on his calendar during the next three weeks, so it was decided that Mr. Henderson and I would meet to begin discussion, and I would meet later with Mr. Koepke.

In each of these conversations, as they were held, I focused on options that might resolve the two problem areas that both KASB and USA had identified -- the time element that had in a few cases become protracted, and the cost factor. For example, I suggested we look at shortening the timelines set forth in the current law, and that we find a way to cause the hearing officer to render a decision in a timely manner or suffer specific consequences. In order for both parties to avoid the costs connected with cases going to district court or appeals court, I asked that we discuss the possibilities of using an arbiter, or of abolishing the whole process currently in place and creating something entirely different, perhaps under the authority of the State Department of Education, or even the Governor's office.

*Senate Education  
2-18-97  
Attachment 4*

Following my individual meetings with the two gentlemen, I suggested they meet together to discuss my proposals and any others they might develop, and then asked that the three of us meet.

At that subsequent meeting I was told that the only position they could consider was the one defined in the proposed bill. Consequently, they did not discuss any of the measures I had suggested, nor did they present any alternatives for us to consider.

Believing as I do, that any reasonable idea should be considered, no matter what its source of origin, I put forth additional ideas, hoping that even one might spark some fruitful discussion. I was unsuccessful in that meeting, and in two others that followed, one of which you helped arrange, Senator Lawrence, and I appreciated your effort to assist. In both of these meetings, however, KASB and USA reiterated their position as being that found in the proposed bill, and neither one offered any alternative.

Accusing KNEA of not cooperating with efforts to resolve this issue is an amazing interpretation of the facts. We, in fact, initiated the efforts to find some accord, and were the only one to suggest any alternatives. Only when faced with what I termed "adamant passive resistance" did we resort to defending the status quo.

Do we want incompetent teachers in the classroom? Of course not! They reflect poorly on the rest of us and create the weak link in the education chain.

Do we want a fair dismissal process? Certainly! Such a process is an essential component of good teaching, because it ensures that teachers are receiving appropriate guidance and support from properly trained administrators.

A fair dismissal procedure is objective and non-political; it recognizes the professional dignity and worth of all those involved; and it provides accountability to the public for whom our schools exist. Anything less than that only causes greater problems than it was originally intended to solve.

Thank you for your time, your attention, and your consideration.