

Approved: April 10, 1998
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 11, 1998 in Room 519-S of the Capitol.

All members were present except:

Representative Billie Vining - Excused

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

Conferees appearing before the committee:

Representative Lloyd Stone
Dr. John Heim, Superintendent, Emporia U.S.D. 253
Todd Covault, Business Manager
Richard Doll, Superintendent, Rock Creek U.S.D. 323
Howard Shuler, Superintendent, Auburn/Washburn
Craig Nuenswander, Superintendent, Riley
Representative Brenda Landwehr
Marshall Jones, Wichita Public Schools, Board Member
Marty Marshall, Wichita Public Schools, Board Member
Pat Baker, Attorney, Kansas Association of School Boards

Others attending: See attached list

Hearings on **HB 2747 - school district, capital improvements, state aid entitlement**, were opened.

Representative Lloyd Stone appeared before the committee as the sponsor of the proposed bill. He explained that it would equalize the formula so that all school districts who are receiving state aid for bonds would receive aid under the same rules. (Attachment 1)

Dr. John Heim, Superintendent, Emporia U.S.D. 253, appeared before the committee in support of the bill and informed the committee that 75 school districts would be affected by the bill. (Attachment 2)

Todd Covault, Business Manager, appeared before the committee as a proponent of the bill. He told the committee that not all school districts receive the same amount of aid. (Attachment 3)

Richard Doll, Superintendent, Rock Creek U.S.D. 323, appeared before the committee and explained that Rock Creek is a poor property tax district and they can't afford to higher their taxes so they have to pass bonds to build new schools and repair the old ones. (Attachment 4)

Howard Shuler, Superintendent, Auburn/Washburn, believes that the state has some responsibility to maintain schools so that children can learn. (Attachment 5)

Craig Nuenswander, Superintendent, Riley, as a proponent of the bill. He believes that by passing this bill it would provide equity and should decrease each year the bonds and eventually phase them out. (Attachment 6)

Hearings on **HB 2747** were closed.

Hearings on **HB 2807 - school districts, observance of periods of silence**, were opened.

Representative Brenda Landwehr appeared before the committee as the sponsor of the bill. She explained that the proposed bill allow school boards to decide if their district would be allowed to have a moment of silence. (Attachment 7)

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION, Room 519-S Statehouse, at 3:30 p.m. on February 11, 1998.

Marshall Jones, Wichita Public Schools, Board Member, appeared before the committee as a proponent of the bill. He told the committee that the Wichita Public Schools had looked at the proposal a few weeks ago and decided that it drew too much criticism from those who believed the purpose of a moment of silence was to pray. (Attachment 8)

Marty Marshall, Wichita Public Schools, Board Member appeared, before the committee and explained that this bill would simply allow for a moment of silence, not prayer. This would allow teachers and boards to determine if it is in the best interest of schools and children to have time to reflect, or mediate before the day begins. (Attachment 9)

Pat Baker, Attorney, Kansas Association of School Boards, appeared before the committee as an opponent of the bill. It was her opinion that by allowing local school boards to decide on a moment of silence, K.S.A. 72-5508a would be ruled unconstitutional. (Attachment 10)

The committee pointed out that K.S.A. 72-5508a has been law for 30 years and that by simply adding another person who could determine if a moment of silence would be taken would probably not make the statute unconstitutional.

The next meeting is scheduled for February 12, 1998.

HOUSE EDUCATION COMMITTEE GUEST LIST

DATE: February 11, 1998

NAME	REPRESENTING
Diare Gjersted	USD 259
Marty Marshall	USD 259
Marshall Jones	USD 259
ORAN D. OPPLICA	USD 303
Coleen Estep	USD 470
Marilyn Barrett	USD 399
Michael Specht	USD 399
Karen Sessler	USD 355
Alan Schmeiss	USD 355
Alexis Pokorny	USD 395
Glenn Richardson	USD 261
Susan Wakston	USD 261
Glenn Crum	USD 261
Jeff Stoltz	Univ of Kansas
Suzanne Keen	Univ of Kansas
Bob C. Siro	Univ. of Kansas
Ron Musselwhite	USD #482
Dennis Ball	USD 482
Kat Baker	KASB

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HOUSE EDUCATION COMMITTEE GUEST LIST

DATE: _____

NAME	REPRESENTING
Lundy Maxwell	USD 434
Walter Prochaska	USD 424
Jane Johansen	" 364
Pat Lehman	USD-233 Olathe
Connie Adams	USD 318 Otterbein
Kay Kennedy	U.S.D. 382 Pratt
Robert A. Howell	USD 438 - Skyline
Sandra Thieres	USD-232 DeSoto
Harlyn Layman	USD 232. deSoto
Bill Grimes	USD 423 Moundridge
K. Keith Johnson	USD 423 Moundridge
Reg Mats	USD 410 Hillsboro
Way R. Fay	USD 395 LaCrosse
Laurie Cameron	USD 488 Axtell
Martha Rogge	USD 374 Sublette
Ailene Feher	USD #374 Sublette
Karen Hastings	USD #490 Eldorado
Karen Keltman	USD 264 Clearwater
Linda Hunsicker	USD 280 Morland

HOUSE EDUCATION COMMITTEE GUEST LIST

DATE: 2/11/98

NAME	REPRESENTING
Barbara Olson	USD 294 Oberlin
Beth Hechliter	USD 294 Oberlin
Carol Dipson	USD 294 Oberlin
Bill Hicks	USD 267 Renwick
Wanda Segen	USD 267 Renwick
Dan Peter	USD 267 Renwick
Anita Bogman	USD 267 Renwick
Jean Cunningham	USD 428 Great Bend
Mary King	USD 428 Great Bend
Robert Loftin	USD 242 Weebean
Emilia Fanzman	USD 372 Silver Lake
Nancy Horst	USD 253 Emporia
Rex Loreny	Retired Emporia
Dei R. Boyle	USD 419
Phil Larson	USD 419 Canton/Galva
Nikki McLain	USD 507 Satanta
George Anshutz	USD 507 Satanta
Dean Schultz	USD 310 Fairfield
CRILE NEUENHARDT	USD 378 RILEY COUNTY

HOUSE EDUCATION COMMITTEE GUEST LIST

DATE: 2/11

NAME	REPRESENTING
John Heim	Empire Public Schools
Tom Matthews	QUAKE DIST SCHOOLS
Sheryl Chamber	USD 437
Todd Covant	USD 253

LLOYD A. STONE
REPRESENTATIVE, 60TH DISTRICT
LYON COUNTY
1719 HAMMOND DR.
EMPORIA, KANSAS 66801-5312
ROOM 155-E
STATE CAPITOL, TOPEKA 66612-1504



TOPEKA

HOUSE OF
REPRESENTATIVES

TO: House Education Committee
FROM: Representative Lloyd Stone
DATE: February 11, 1998
RE: House Bill 2747

HB 2747 would, in my opinion, help to alleviate an inequity in school finance that was brought about by the School Finance Law which was passed by the legislature in 1992. The 1992 law raised the state aid on post-1992 school bonds. As a result, those districts that had issued bonds prior to 1992 are receiving considerably less state aid than those schools who had their bonds issued after 1992. As you know, the amount of state aid for bonds is primarily based upon the amount of valuation per student in a given district. Therefore, school districts that have less valuation and who had to build buildings and issue bonds prior to 1992 were placed at a considerable financial disadvantage.

HB 2747 would equalize the formula so that **all** school districts who are receiving state aid for bonds would be receiving that aid under the same rules.

There are 75 districts, served by 69 different members of the House of Representatives, and 29 members of the Senate who are being adversely affected by the 1992 law change. I ask for your consideration in removing this inequity.

A handwritten signature in cursive script that reads "Lloyd Stone". The signature is written in dark ink and is positioned in the lower right quadrant of the page.

House Education
2-11-98
Attachment 1

Testimony to House Education Committee - HB 2747
February 11, 1998
John Heim, Superintendent of Schools, Emporia USD #253

Thank you for the opportunity to speak to you today about an issue that is important to the taxpayers of Emporia. We appreciate your willingness to consider correcting an inequity in the current school finance law.

Over six years ago, I was a new superintendent in El Dorado, Kansas. The voters passed a bond issue to improve the district facilities. If that bond would have been approved six months later, the taxpayers in that community would have saved approximately two mills every year for 15 years. When I accepted the superintendent's job in Emporia, it was déjà vu! House Bill 2747 corrects this inequity.

Todd Covault, the Emporia Director of Business Operations, will be discussing the inequity as it relates specifically to Emporia. I would like to provide you with some information about the statewide impact of this bill.

According to data that we received from the Kansas State Department of Education, over 75 districts are affected by this legislation. They range in size from South Haven to Olathe. They range in location from Liberal to Kansas City-Turner. A large number of Kansas taxpayers are paying more in local property tax because they were proactive in supporting their schools. A progressive state like Kansas should not penalize taxpayers because they were quick to support the children of their community.

Although we support the legislation proposed, and we recognize that the state is in a very strong fiscal position, we want to encourage a balance between tax cuts and increasing operating budgets for schools. It is our hope that this tax reduction legislation could be part of the reallocation of funds being discussed to reduce property taxes. This is a request for targeted tax cuts to correct an inequity in the current law.

Thank you for your time and consideration of this issue.

House Education
2-11-98
Attachment 2

According to the Kansas State Department of Education, the following school districts received aid last year for pre 1992 bonds:

School District	House District	Senate District
202 Turner-Kansas City	33	6
	31	
203 Piper-Kansas City	38	5
204 Bonner Springs	39	5
230 Spring Hill	43	23
231 Gardner-Edgerton-Antioch	43	23
233 Olathe	14	9
	15	23
	26	
	27	
234 Fort Scott	4	12
		13
250 Pittsburg	3	13
	2	
253 Emporia	60	17
257 Iola	9	15
258 Humboldt	9	15
	8	
260 Derby	82	26
	81	
261 Haysville	81	26
	98	28
	93	
	96	
262 Valley Center	90	31
	99	
263 Mulvane	81	26
265 Goddard	93	26
266 Maize	90	26
	93	
267 Renwick	93	26
	101	
268 Cheney	93	26
288 Central Heights	5	12
289 Wellsville	10	12
290 Ottawa	10	12
293 Quinter	118	40
	121	
305 Salina	69	24
	71	
307 Ell-Saline	67	24

308	Hutchinson	102	34
		104	
		103	
309	Nickerson	103	34
		101	
		113	
313	Buhler	104	34
		74	
320	Wamego	61	1
		65	
323	Rock Creek	61	1
327	Ellsworth	67	36
		119	
339	Jefferson County North	47	3
342	McLouth	47	3
343	Perry	47	3
		45	
348	Baldwin City	10	19
		45	
357	Belle Plaine	80	32
364	Marysville	63	21
		106	
365	Garnett	5	12
		9	
367	Osawatomie	5	12
		6	
368	Paola	6	12
		5	
378	Riley County	106	22
		62	
379	Clay Center	107	21
382	Pratt	108	33
383	Manhattan	62	22
		66	21
384	Blue Valley - Riley	106	21
		63	
385	Andover	99	16
		75	30
400	Smokey Valley	73	35
		67	
402	Augusta	77	16
		75	
404	Riverton	1	13
413	Chanute	8	14
415	Hiawatha	49	1
420	Osage City	59	17
		60	
430	South Brown County	49	1

431	Hoisington	113	36
435	Abilene	67	35
		68	
440	Halstead	74	31
441	Sabetha	63	21
		49	
443	Dodge City	116	38
		115	
446	Independence	12	15
		13	
448	Inman	113	35
		74	
453	Leavenworth	40	3
457	Garden City	123	39
		117	
460	Hesston	74	31
461	Neodesha	13	15
464	Tonganoxie	42	3
			5
465	Winfield	78	32
		79	
469	Lansing	40	5
470	Arkansas City	79	32
		80	
471	Dexter	79	32
		78	
480	Liberal	125	38
484	Fredonia	13	15
		76	
489	Hays	111	37
		110	
490	El Dorado	75	16
493	Columbus	1	13
		2	
509	South Haven	80	32

Below is a list of state senators and representatives that would be associated with at least one of the school districts listed above:

Senate District and Senator

- 1 Don Sallee
- 3 Donald Biggs
- 5 Mark Gilstrap
- 6 Chris Steineger
- 9 Rich Becker
- 12 Robert Tyson
- 13 Jim Barone
- 14 Dwayne Umbarger

- 15 Tim Emert
- 16 David Corbin
- 17 Jerry Karr
- 19 Anthony Hensley
- 21 Janice Hardenburger
- 22 Lana Oleen
- 23 Karin Brownlee
- 24 Ben E. Vidricksen
- 26 Nancey Harrington
- 28 Paul Feleciano, Jr.
- 30 Barbara Lawrence
- 31 Christine Downey
- 32 Greta Hall Goodwin
- 33 Laurie Bleeker
- 34 Dave Kerr
- 35 Don Steffes
- 36 Janis K. Lee
- 37 Larry D. Salmans
- 38 Tim Huelskamp
- 39 Stephen R. Morris
- 40 Stan Clark

House District and Representative


- 1 Tim Shallenburger
- 2 Robert Grant
- 3 Ed McKechnie
- 4 Andrew Howell
- 5 Bill Feuerborn
- 6 Jene Vickrey
- 8 Richard R. Reinhardt
- 9 Stanley Dreher
- 10 Ralph Tanner
- 12 Cindy Empson
- 13 Mary Compton
- 14 Kay O'Connor
- 15 John Toplikar
- 26 Larry Campbell
- 27 Phyllis Gilmore
- 31 Bonnie J. Sharp
- 33 Tom Burroughs

House District and Representative

- 38 Jim Long
- 39 Ray L. Cox
- 40 L. Candy Ruff
- 42 Kenny A. Wilk
- 43 John D. Ballou

45 Tom Sloan
47 Joann Flower
49 Galen Weiland
59 Joe Humerickhouse
60 Lloyd A. Stone
61 Edward W. Pugh
62 Kent Glasscock
63 Bruce F. Larkin
65 Gerald G. Geringer
66 Jeff Peterson
67 Joe Kejr
68 Shari Weber
69 Deena Horst
71 Carol Edward Beggs
73 Clark Shultz
74 Ellen B. Samuelson
75 William G. Mason
76 Peggy L. Long
77 Peggy R. Palmer
78 Judy Showalter
79 Joe Shriver
80 Bill McCreary
81 Ted Powers
82 Don Myers
90 Billie Vining
93 Daniel J. Thimesch
96 George R. Dean
98 Geraldine Flaharty
99 Susan Wagle
101 Robert E. Krehbiel
102 Janice L. Pauls
103 Thomas Klein
104 Mike O'Neal
106 Sharon Schwartz
107 Joann Lee Freeborn
108 Dennis McKinney
110 Dan Johnson
111 Eber Phelps
113 Jack Wempe
115 Melvin J. Neufeld
116 Ethel M. Peterson
117 Robin Jennison
118 Gayle Mollenkamp
119 Laura Lee McClure
121 Jim Morrison
123 Terry Presta
125 Carl Dean Holmes

TO: The Honorable Michael O'Neal, Education Committee Chairperson
 Members, House Education Committee

FROM: Todd Covault 
 Director of Business Operations, Emporia USD #253

RE: Support of House Bill No. 2747
 Bond and Interest - State Aid Payment
 Local Property Tax Reduction

DATE: February 11, 1998

- Adult Basic Education
526 Congress
316-341-2253
- Alternative School
315 S. Market
316-341-2252
- Butcher Children's School
1200 Commercial
316-341-5301
- Campus Center
620 Constitution
316-341-2390
- Emporia High School
3302 W. 18th
316-341-2365
- Emporia Middle School
2300 Graphic Arts
316-341-2335
- Flint Hills Special
Education Cooperative
216 W. 6th
316-341-2325
- Flint Hills Technical College
3301 W. 18th
316-341-2300
- Head Start Center
315 S. Market
316-341-2260
- Logan Avenue Elementary
521 S. East
316-341-2264
- Lowther North
Intermediate School
216 W. 6th
316-341-2350
- Lowther South
Intermediate School
215 W. 6th
316-341-2400
- Mary Herbert Elementary
1700 W. 7th
316-341-2270
- Maynard Elementary
19 Constitution
316-341-2276
- Stanton Street
Early Childhood Center
1211 Stanton
316-341-2254
- Village Elementary
2302 W. 15th
316-341-2282
- Walnut Elementary
801 Grove
316-341-2288
- William Allen
White Elementary
902 Exchange
316-341-2294

The current finance law allows state aid to be paid to districts with an assessed valuation per pupil (AVPP) no greater than \$25,000 over the state district median valuation per pupil. The state median for districts is currently \$31,000. Districts that have a valuation at the state median receive 25% state aid. For each \$1,000 difference in the state median, a percentage point is added or subtracted from the 25% rate. The chart below demonstrates how the state aid percentage rate is determined. The AVPP for each district has been rounded to the thousands place in accordance with the state formula.

District	AVPP	Post '92	Pre '92
Burlington	\$543,000	0%	0%
Blue Valley	\$61,000	0%	0%
Pawnee Heights	\$55,000	1%	0%
Lawrence	\$48,000	8%	0%
Topeka	\$34,000	22%	2%
Ottawa	\$31,000	25%	5%
Emporia	\$24,000	32%	12%
Kansas City	\$22,000	34%	14%
Junction City	\$14,000	42%	22%

An arbitrary line was drawn on July 1, 1992 relevant to state aid. This date is based upon when the current finance law was enacted. Bonds issued prior to this date receive 20% less state aid than bonds issued after the date.

Emporia issued bonds in December of 1991 to build a new middle school. This was seven months prior to the state enacting the new finance law. Emporia receives 12% state aid for bond and interest payments. Had the district waited seven months with the foresight that the law would be enacted under this premise, Emporia would currently receive 32% state aid.

House Bill Number 2747 would benefit districts all over the state. The fiscal note (attached) is \$8.4 million. Emporia taxpayers would realize a reduction of nearly \$150,000 in property taxes, a reduction of approximately 1.3 mills in their local property tax levy. Over the course of the life of the bonds, this would ultimately save the Emporia taxpayers nearly \$3 million.

State Aid - Bond Interest Payments

USD	Unified School District Name	Rounded AVPP	%		USD	Unified School District Name	Rounded AVPP	%
244	Burlington	\$543,000	0%		228	Hanston	\$56,000	0%
217	Rolla	\$424,000	0%		223	Barnes	\$55,000	1%
209	Moscow	\$327,000	0%		496	Pawnee Heights	\$55,000	1%
507	Satanta	\$267,000	0%		221	North Central	\$54,000	2%
210	Hugoton	\$265,000	0%		310	Fairfield	\$51,000	5%
321	Kaw Valley !!!!!!!	\$230,000	0%		292	Wheatland	\$51,000	5%
215	Lakin	\$210,000	0%		390	Hamilton	\$50,000	6%
452	Stanton County	\$174,000	0%		241	Wallace County	\$49,000	7%
214	Ulysses	\$158,000	0%		467	Leoti	\$49,000	7%
363	Holcomb	\$143,000	0%		375	Circle	\$49,000	7%
362	Prairie View	\$137,000	0%		486	Elwood	\$49,000	7%
216	Deerfield	\$132,000	0%		284	Chase County	\$48,000	8%
424	Mullinville	\$126,000	0%		423	Moundridge	\$48,000	8%
374	Sublette	\$115,000	0%		482	Dighton	\$48,000	8%
301	Nes-Tre-La-Go	\$112,000	0%		497	Lawrence	\$48,000	8%
332	Cunningham	\$102,000	0%		326	Logan	\$48,000	8%
275	TriPlains	\$99,000	0%		219	Minneola	\$48,000	8%
226	Meade	\$99,000	0%		274	Oakley	\$47,000	9%
494	Syracuse	\$96,000	0%		438	Skyline	\$46,000	10%
328	Lorraine	\$93,000	0%		466	Scott County	\$45,000	11%
218	Elkhart	\$85,000	0%		291	Grinnell	\$45,000	11%
213	West Solomon Valley	\$84,000	0%		255	South Barber County	\$44,000	12%
103	Cheylin	\$83,000	0%		245	Leroy-Gridley	\$44,000	12%
399	Paradise	\$81,000	0%		347	Kinsley-Offerle	\$43,000	13%
444	Little River	\$80,000	0%		270	Plainville	\$43,000	13%
474	Haviland	\$80,000	0%		297	St. Francis	\$43,000	13%
220	Ashland	\$76,000	0%		317	Herndon	\$43,000	13%
476	Copeland	\$75,000	0%		264	Clearwater	\$42,000	14%
351	Macksville	\$74,000	0%		285	Cedar Vale	\$42,000	14%
200	Greeley County	\$70,000	0%		316	Golden Plains	\$42,000	14%
225	Fowler	\$68,000	0%		455	Hillcrest	\$42,000	14%
300	Comanche County	\$67,000	0%		437	Auburn-Washburn	\$41,000	15%
280	West Graham-Morland	\$65,000	0%		433	Midway	\$41,000	15%
371	Montezuma	\$65,000	0%		432	Victoria	\$40,000	16%
314	Brewster	\$64,000	0%		511	Attica	\$40,000	16%
269	Palco	\$63,000	0%		407	Russell County	\$40,000	16%
304	Bazine	\$63,000	0%		412	Hoxie	\$40,000	16%
502	Lewis	\$62,000	0%		254	Barber County North	\$40,000	16%
302	Smoky Hill	\$62,000	0%		397	Centre	\$40,000	16%
229	Blue Valley	\$61,000	0%		294	Oberlin	\$40,000	16%
242	Weskan	\$61,000	0%		279	Jewell	\$40,000	16%
306	Southeast of Saline	\$60,000	0%		388	Ellis	\$40,000	16%
104	White Rock	\$60,000	0%		403	Otis-Bison	\$40,000	16%
483	Kismet-Plains	\$59,000	0%		299	Sylvan Grove	\$39,000	17%
468	Healy	\$59,000	0%		350	St. John	\$39,000	17%
422	Greensburg	\$59,000	0%		227	Jetmore	\$39,000	17%
395	LaCrosse	\$59,000	0%		477	Ingalls	\$39,000	17%
512	Shawnee Mission	\$58,000	0%		208	WaKeeney	\$38,000	18%
401	Chase	\$57,000	0%		232	DeSoto	\$38,000	18%
303	Ness City	\$56,000	0%		334	Southern Cloud	\$38,000	18%
295	Prairie Heights	\$56,000	0%		298	Lincoln	\$38,000	18%

State Aid - Bond Interest Payments

USD	Unified School District Name	Rounded AVPP	%		USD	Unified School District Name	Rounded AVPP	%
492	Flinthills	\$38,000	18%		495	Ft. Larned	\$31,000	25%
212	Northern Valley	\$38,000	18%		250	Pittsburg	\$31,000	25%
386	Madison-Virgil	\$38,000	18%		389	Eureka	\$31,000	25%
331	Kingman	\$38,000	18%		313	Buhler	\$31,000	25%
349	Stafford	\$38,000	18%		493	Columbus	\$31,000	25%
102	Cimarron-Ensign	\$37,000	19%		481	Rural Vista	\$30,000	26%
206	Remington-Whitewater	\$37,000	19%		460	Hesston	\$30,000	26%
282	West Elk	\$37,000	19%		293	Quinter	\$30,000	26%
352	Goodland	\$37,000	19%		440	Halstead	\$30,000	26%
416	Louisburg	\$37,000	19%		329	Mill Creek Valley	\$30,000	26%
224	Clifton-Clyde	\$37,000	19%		309	Nickerson	\$30,000	26%
345	Seaman	\$37,000	19%		325	Phillipsburg	\$30,000	26%
459	Bucklin	\$36,000	20%		368	Paola	\$30,000	26%
418	McPherson	\$36,000	20%		308	Hutchinson	\$30,000	26%
259	Wichita	\$36,000	20%		376	Sterling	\$30,000	26%
360	Caldwell	\$36,000	20%		398	Peabody-Burns	\$30,000	26%
315	Colby	\$36,000	20%		377	Atchison County	\$29,000	27%
311	Pretty Prairie	\$36,000	20%		417	Council Grove	\$29,000	27%
281	Hill City	\$35,000	21%		415	Hiawatha	\$29,000	27%
426	Pike Valley	\$35,000	21%		484	Fredonia	\$29,000	27%
233	Olathe	\$35,000	21%		382	Pratt	\$29,000	27%
271	Stockton	\$35,000	21%		251	North Lyon County	\$29,000	27%
359	Argonia	\$35,000	21%		410	Hillsboro-Durham	\$29,000	27%
489	Hays	\$35,000	21%		473	Chapman	\$29,000	27%
238	West Smith County	\$34,000	22%		393	Solomon	\$29,000	27%
442	Nemaha Valley	\$34,000	22%		343	Perry	\$28,000	28%
237	Smith Center	\$34,000	22%		387	Altoona-Midway	\$28,000	28%
369	Burrton	\$34,000	22%		243	Lebo-Waverly	\$28,000	28%
318	Atwood	\$34,000	22%		445	Coffeyville	\$28,000	28%
501	Topeka	\$34,000	22%		346	Jayhawk	\$28,000	28%
324	Eastern Heights	\$34,000	22%		380	Vermillion	\$28,000	28%
365	Garnett	\$33,000	23%		385	Andover	\$28,000	28%
383	Manhattan-Ogden	\$33,000	23%		479	Crest	\$28,000	28%
361	Anthony-Harper	\$33,000	23%		384	Blue Valley-Randolph	\$28,000	28%
488	Axtell	\$33,000	23%		446	Independence	\$28,000	28%
427	Belleville	\$33,000	23%		204	Bonner Springs	\$28,000	28%
364	Marysville	\$32,000	24%		409	Atchison	\$28,000	28%
354	Claflin	\$32,000	24%		490	El Dorado	\$28,000	28%
273	Beloit	\$32,000	24%		450	Shawnee Heights	\$28,000	28%
366	Yates Center	\$32,000	24%		428	Great Bend	\$28,000	28%
419	Canton-Galva	\$32,000	24%		480	Liberal	\$28,000	28%
305	Salina	\$32,000	24%		256	Marmaton Valley	\$28,000	28%
400	Lindsborg	\$32,000	24%		239	North Ottawa County	\$28,000	28%
231	Gardner-Edgrtn-Antch	\$32,000	24%		431	Hoisington	\$28,000	28%
312	Haven	\$31,000	25%		443	Dodge City	\$27,000	29%
322	Onaga-Hvllle-Whtn	\$31,000	25%		330	Wabaunsee East	\$27,000	29%
355	Ellinwood	\$31,000	25%		453	Leavenworth	\$27,000	29%
448	Inman	\$31,000	25%		289	Wellsville	\$27,000	29%
252	South Lyon County	\$31,000	25%		392	Osborne County	\$27,000	29%
258	Humboldt	\$31,000	25%		425	Highland	\$27,000	29%
471	Dexter	\$31,000	25%		457	Garden City	\$27,000	29%

State Aid - Bond Interest Payments

USD	Unified School District Name	Rounded AVPP	%		USD	Unified School District Name	Rounded AVPP	%
267	Renwick	\$27,000	29%		340	Jefferson West	\$22,000	34%
456	Marais Des Cygne	\$26,000	30%		336	Holton	\$22,000	34%
287	West Franklin	\$26,000	30%		203	Piper	\$22,000	34%
465	Winfield	\$26,000	30%		268	Cheney	\$21,000	35%
272	Waconda	\$26,000	30%		235	Uniontown	\$21,000	35%
260	Derby	\$26,000	30%		421	Lyndon	\$21,000	35%
462	Central	\$26,000	30%		101	Erie-St.Paul	\$21,000	35%
408	Marion	\$26,000	30%		469	Lansing	\$21,000	35%
458	Basehor-Linwood	\$26,000	30%		234	Ft. Scott	\$21,000	35%
441	Sabetha	\$26,000	30%		339	Jefferson County Nort	\$21,000	35%
435	Abilene	\$26,000	30%		470	Arkansas City	\$21,000	35%
230	Spring Hill	\$25,000	31%		211	Norton	\$20,000	36%
381	Spearville	\$25,000	31%		378	Riley County	\$20,000	36%
327	Ellsworth	\$25,000	31%		262	Valley Center	\$20,000	36%
373	Newton	\$25,000	31%		283	Elk Valley	\$20,000	36%
278	Mankato	\$25,000	31%		353	Wellington	\$20,000	36%
307	Ell-Saline	\$25,000	31%		288	Central Heights	\$20,000	36%
449	Easton	\$25,000	31%		266	Maize	\$20,000	36%
405	Lyons	\$25,000	31%		413	Chanute	\$20,000	36%
290	Ottawa	\$25,000	31%		505	Chetopa	\$20,000	36%
451	Baileyville-St. Benedict	\$25,000	31%		402	Augusta	\$19,000	37%
253	Emporia	\$24,000	32%		503	Parsons	\$19,000	37%
222	Washington	\$24,000	32%		323	Rock Creek	\$19,000	37%
509	South Haven	\$24,000	32%		508	Baxter Springs	\$19,000	37%
342	McLouth	\$24,000	32%		487	Herington	\$19,000	37%
333	Concordia	\$24,000	32%		430	South Brown County	\$19,000	37%
498	Valley Heights	\$24,000	32%		246	Northeast	\$19,000	37%
348	Baldwin City	\$24,000	32%		341	Oskaloosa	\$19,000	37%
240	Twin Valley	\$24,000	32%		406	Wathena	\$19,000	37%
320	Wamego	\$24,000	32%		506	Labette County	\$18,000	38%
420	Osage City	\$24,000	32%		434	Santa Fe Trail	\$18,000	38%
202	Turner	\$24,000	32%		338	Valley Falls	\$18,000	38%
265	Goddard	\$24,000	32%		454	Burlingame	\$18,000	38%
379	Clay Center	\$23,000	33%		461	Neodesha	\$18,000	38%
464	Tonganoxie	\$23,000	33%		344	Pleasanton	\$18,000	38%
404	Riverton	\$23,000	33%		439	Sedgwick	\$18,000	38%
205	Bluestem	\$23,000	33%		429	Troy	\$18,000	38%
286	Chautauqua County	\$23,000	33%		261	Haysville	\$17,000	39%
463	Udall	\$23,000	33%		257	Iola	\$17,000	39%
491	Eudora	\$23,000	33%		447	Cherryvale	\$17,000	39%
504	Oswego	\$23,000	33%		436	Caney Valley	\$17,000	39%
411	Goessel	\$23,000	33%		357	Belle Plaine	\$17,000	39%
356	Conway Springs	\$22,000	34%		337	Royal Valley	\$16,000	40%
335	Jackson Heights	\$22,000	34%		394	Rose Hill	\$16,000	40%
249	Frontenac	\$22,000	34%		263	Mulvane	\$16,000	40%
247	Cherokee	\$22,000	34%		396	Douglass	\$15,000	41%
367	Osawatomie	\$22,000	34%		475	Junction City	\$14,000	42%
500	Kansas City	\$22,000	34%		499	Galena	\$10,000	46%
248	Girard	\$22,000	34%		207	Ft. Leavenworth	\$1,000	
358	Oxford	\$22,000	34%					
372	Silver Lake	\$22,000	34%			State Median	\$31,000	

Administrative Assistant/Clerk
MINA GRUTZMACHER
Treasurer/Receptionist
JANICE DOLL
Secretary to Superintendent
RUBY ZABEL

**Rock Creek
Unified School District 323**

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Dr. Richard Doll, Superintendent

Board of Education
WILLIAM EDWARDS
DARRELL HOLADAY
LARRY LAUER
JAMES MOORE
GLORIA SCHWARTZ
MIKE SOTELO
SUSAN YENZER

TO: House Education Committee
FR: Rick Doll, Superintendent of Rock Creek U.S.D. 323
MDY: February 11, 1998
RE: Testimony on House Bill 2747

Thank you for the opportunity to provide testimony on House Bill 2747. This bill has major implications for the patrons and students of Rock Creek U.S.D. 323.

As a result of a court decision in 1991, the Kansas legislature significantly changed the way schools are financed. In this decision, the courts stated that the state has an obligation to provide an appropriate education for the students of Kansas. Since this is a state function, the state must also equalize the funding mechanism. Providing equalization of funding for building schools was included in the court decision. Thus, the state legislature has a responsibility to ensure that funding for building schools is equalized based on the ability of the local tax payers to pay. In Kansas the local property valuation of a district determines the ability to pay, which then determines the amount of state aid.

In 1992 the legislature decided that bonds passed before the enactment of the new finance law would be equalized at 20% less than bond issues passed after 1992. In discussing this issue with representatives from Dale Dennis' office it seems that the decision to fund old bond issues at the lower rate had everything to do with available resources, and very little to do with philosophical reasons. In other words, bonds passed prior to 1992 were not equalized to the degree of bonds passed after 1992 because the state could not afford it.

In 1998 the circumstances have changed dramatically. Now a surplus of state funds has thrust the state legislature into a tax cut mode. It is difficult to even engage lawmakers in discussions about education because their first priority is to cut taxes. The 1998 legislature has a unique opportunity to cut taxes and improve education at the same time. By passing house bill 2747 the legislature could provide significant property tax relief for those citizens that need it the most. Since the percentage of state aid for capital improvements depends upon the local property wealth of the district, legislators will be giving property tax relief to the citizens of the state that are presently over taxed. These same patrons were courageous enough to vote themselves significantly higher taxes to support education in their districts.

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An example may help to make my point. In Rock Creek U.S.D. 323 one mil generates only \$15,763. The citizens of our districts must tax themselves at a much higher rate than a neighboring school district where one mil generates approximately \$240,000. Equalization of funds for bond issues makes sense for bonds passed after 1992 and for bonds passed before 1992. The educational opportunities that students have available to them should not depend on the wealth of the district and quality school buildings are a critical component of providing these opportunities.

Rock Creek U.S.D. 323 is also in a position of not only being a poor property tax district but also a growing school district. Our location next to Manhattan and the gains that we have made with student achievement have made the district a very attractive school district, so people are moving in. The district patrons are presently burdened with 15 mils to pay for a 1989 bond issue. These same patrons are now faced with the possibility of another bond issue to meet the needs that enrollment growth brings. Because the state equalizes pre-1992 bonds at only 17%, compared to 37% for post 1992 bonds, district tax payers are spending \$66,292 more each year to pay off the bond. Equalization of bond issues should be established at the same rate regardless of when the bond issue was passed.

In 1989 the patrons of Rock Creek U.S.D. 323 voted to impose a heavy tax burden on themselves because they believed their effort would benefit students. These patrons should not be punished because, by bad luck, their efforts came three years before the law changed. In fact these patrons should be rewarded. They taxed themselves at a much higher rate than their neighbors because they wanted to do what was best for their students. Please do not continue to punish them because their timing was off. The state has the revenue to provide the approximate \$8.4 million to remedy an inequity that should have never occurred. Take this opportunity to provide property tax relief for those patrons that need it the most and at the same time improve the ability of poor property tax districts to meet the educational needs of their students.



**AUBURN-WASHBURN USD No. 437
ADMINISTRATIVE OFFICE**

Howard L. Shuler
Superintendent

Dr. Perry Perkins
Associate Superintendent

Dennis Johnson
Director of Support Services

Marilynn Menuey
Director of Special Services

Gary Swart
Business Manager

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HOUSE EDUCATION COMMITTEE

House Bill #2747

Mr. Chairman, Members of the Committee: Thank you for this opportunity to testify in favor of House Bill #2747.

My name is Howard Shuler. I am the Superintendent of Schools in the Auburn-Washburn School District, a position I have been fortunate to hold for the past 16 years.

The Auburn-Washburn School District is located in the southwest portion of Shawnee County, the rapid growth area in this part of the state.

We have a very progressive district, trying desperately to stay on the cutting edge in providing quality educational programs for all of our students.

When growth started in our corner of Shawnee County, we commenced expanding, remodeling, and building new facilities. Besides having to create instructional space, we had three major safety issues we wanted to address: rid the district of all asbestos, climitize all buildings and have off street loading of all buses. That has now been accomplished.

Prior to July 1, 1992, we issued \$24,500,000 in school bonds. Our current annual payment is approximately \$2,670,000; we currently receive no assistance from the State of Kansas on these bonds. The Constitutional statement that it is the State's responsibility to "establish and maintain" public education was responded to well by the Legislature when it established a formula for sharing in capital improvements. However, inequities were created for those districts and communities that had the foresight to establish capital improvement programs for their schools prior to July 1, 1992. By not addressing the existing outstanding bonded indebtedness, these inequities have remained in place. If you can find a way to assist in funding these early bonds, we, the taxpayers in Auburn-Washburn, would appreciate a tax reduction of approximately \$400,000.

USD 378, RILEY COUNTY

P.O. Box 326 • Riley, KS 66531 • PHONE (785) 485-2818 • FAX (785) 485-2860

Dr. S. Craig Neuenswander

Superintendent of Schools

TO: House Committee on Education
FROM: S. Craig Neuenswander
DATE: February 11, 1998

RE: House Bill 2747

The Riley County School District encompasses 160 square miles in northern Riley County including the communities of Keats, Leonardville, and Riley. USD 378 is currently financing both pre-'92 and post-'92 bond issues. Other information relevant to this bill is listed below.

Total Bond and Interest Levy	15.6 Mills
'97-'98 F.T.E.	648.9
Assessed Valuation	\$14,233,231
Assessed Valuation per Pupil (nearest \$1,000)	\$22,000
Pre-'92 Bond State Aid	16%
Post-'92 Bond State Aid	36%
Pre-'92 Bond & Interest Payments (Expire 2001)	\$154,938
Potential 20% Additional State Aid	\$30,988
Potential Mill Levy Reduction	2.18 Mills

While \$30,988 is not a great deal of money, it does represent 2.18 mills levied on local property owners because of the timing of their decision to address facility needs for students. The current revenue situation in Kansas provides an opportunity to address this inequity in state aid.

Finally, the State's cost to provide this equity and fund the property tax relief represented by H.B. 2747 should decrease each year as pre-'92 bond issues are paid off, eventually phasing out entirely.

Thank you for your consideration of this issue.

State of Kansas
House of Representatives

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TOPEKA

BRENDA K. LANDWEHR
Representative, Ninety-First District

COMMITTEE ASSIGNMENTS
HOUSE APPROPRIATIONS
SRS SUBCOMMITTEE
JOINT COMMITTEE ON CHILDREN
AND FAMILIES

Testimony In Support of HB2807

February 11, 1998

Thank you Mr. Chairman and committee members for the opportunity to appear before you today in support of HB2807.

This bill was in response to a situation in the Wichita school district. The local school board had decided that they wanted a moment of silence in their school district. The attorney for the school district advised the board that they would be in violation of K.S.A. 72-5308a.

The interpretation their attorney made was that it only applied to teachers and not a school district.

I see this as a change that only reinforces and encourages local control by our school boards.

I ask that the committee support and pass out favorably HB2807.

Thank you for your time and consideration of this legislation.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Brenda Landwehr".

Representative Brenda Landwehr

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HOUSE EDUCATION COMMITTEE
REPRESENTATIVE MIKE O'NEAL, CHAIRMAN
February 11, 1998

Marshall F. Jones, speaking in favor of HB 2807

Mr. Chairman and members of the Committee, my name is Marshall Jones. I reside at 10306 Ayesbury in Wichita, KS. I am an elected member of the Board of Education USD 259. Thank you for considering comments about House Bill 2807 relating to the observance of periods of silence in classrooms. I am speaking in favor of passing this Bill.

Two weeks ago a proposal requiring a moment of silence in USD 259 classrooms was defeated. As you can imagine, a fair amount of dust was kicked up over the proposal. ACLU members accused the Board of attempting to bring religion back into the school. Lawyers and university academicians lectured us about the dangers of this proposal. We were criticized by the Editorial Board of the Wichita Eagle for all of the above and for wasting our time on an unimportant issue.

Are we wasting time on an unimportant issue? In a school district like Wichita, the size and diversity of the student population is a positive challenge. I say positive challenge because size and diversity are strengths! However, like the power of a team of strong and spirited mustangs, the energy of our students must be harnessed and, as a Board of Education, we seek to utilize every tool possible to focus students and staff on the important business of learning. A tool that we thought we possessed was the right to make policy that would contribute to an environment in which learning is central.

We discovered that that right was not ours in the case of a moment of silence. In spite of support from parents, students, business and clergy members representing Catholic, Protestant and Jewish traditions, this proposal failed. Why? According to our attorney, if we approved such a policy, we would most certainly end up on the losing end of a lawsuit. Counsel for the District cited Hobart v. Bd of Educ. Of USD 309, 230 Kan. 375, Syl. No. 2, 634 P.2d 1088 (1981):

School districts and other subdivisions of the state have only such powers as are conferred upon them by statute, specifically or by clear implication, and any reasonable doubt as to the existence of such power should be resolved against its existence.

“In our view,” Counsel continued “these principles prevent the Board from adopting a mandatory moment of silence in District Schools.”

Mr. Chairman, House Bill 2807, like the statute it seeks to amend, rightly maintains control at the local level. The fundamental and important difference is that 2807 expressly empowers a District Board of Education to make a decision about the appropriateness of a moment of silence in their local schools. It is important we have the right to implement such a policy. However, without this change in the statute, we are powerless to do so.

Three Wichita School Board members voted in favor of the proposed Moment of Silence despite the obvious risk. Marty Marshall and I along with Chip Gramke were the three. We are not naïve. We certainly are not advancing political agendas as some have supposed. We simply take seriously our responsibility for assuring that the students of USD 259 receive the best public education possible. I believe passage of HB 2807 will confer authority commensurate with that responsibility.

Thank you.



Marty Marshall
Board of Education

02-11-98

TO: House Education Committee

FROM: Marty Marshall, Board of Education USD 259

SUBJECT: Amendment to K.S.A. 72-5308a

Dear Committee Members:

Good afternoon. My name is Marty Marshall, I am a member of the Board of Education for the Wichita Public Schools, and the proponent of the "Moment of Silence" policy in our school district. I appreciate the opportunity to be here today to speak to you regarding the proposed amendment to K.S.A. 72-5308a.

Approximately one month ago I proposed for the second time in two years, a policy that would require a brief period of silence at the beginning of each school day. The objective of this policy has been extremely clear since its inception. To make available this one minute period of time at the beginning of the day for students to reflect, to meditate, or even engage in silent prayer about issues pertaining to the activities of the day ahead. This policy is meant to provide an educational benefit to all students regardless of how they choose to utilize the time.

In Wichita and probably most any other inner city school district, gang violence, drugs, teen pregnancy, one-parent families, and no parent families has become the way to frequent norm for today's young people. These kids wake up in the morning, catch the bus at 6:00 or 6:30 A.M., ride the bus for probably an hour, and finally get to school just a few minutes before the bell rings for their first hour class. This does not take into account the children who still have to eat breakfast at school and most likely end up eating it during that first class period. In Wichita we wanted the ability to enact this policy so that all students would have the opportunity to catch their breath and mentally prepare for the challenges that await them.

Consequently, each time we have addressed this policy, the one stumbling block we have come up against is the fact that K.S.A. 72-5308a appears on the surface to only allow a teacher to make the decision as to whether or not the period of silence would be

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observed. This in my mind inhibits the rights of many people, while protecting the rights of just a few. The statute as amended infringes upon no one because it leaves completely open just what any individual might choose to do during this time, so long as they are silent and respect the rights of others.

Ladies and Gentlemen, I believe that the time has come where we as the leaders of our cities, our counties, and the state as a whole, need to place into law specific wording that will demonstrate to our children that we as adults are willing not only to talk the talk as it relates to our expectations of their moral and ethical behavior, but that we are truly willing to walk the walk. I personally believe, as do my constituents that the amendment to this statute is a step in the right direction.

In closing, I would like to share with you a comment made by a 14yr old student at one of our recent board meetings regarding a moment of silence. " If more people would take the time at the beginning of their day to reflect on the activities ahead and the consequences of certain behaviors, Maybe, just maybe there would be less violence, less drugs in our schools, and fewer teenage girls who become pregnant". I admit to you that a school district enacting a moment of silence under the authority granted to them in the amended statute might not reach the number of children I feel is possible. Then again it just might!

I respectfully ask that you stay the course on this issue and allow the discretion of implementation to be left to the local school districts. Thank You!

"MOMENT OF SILENCE"

"Periods of silence authorized. In each public school classroom the teacher in charge may observe a brief period of silence with the participation of all the pupils there in assembled at the opening of every school day. This period shall not be conducted as a religious exercise, but shall be an opportunity for silent prayer or for silent reflection on the anticipated activities of the day. K.S.A. 72-5308a.

Commencing at the beginning of each school day, a one minute period of silence will be observed at all Wichita Public Schools. This one-minute period will be for the purpose of educational readiness for the upcoming day's activities.

"MOMENT OF SILENCE"

Administrative Implementation Procedures

1. This authorized period of silence shall commence immediately following the Pledge of Allegiance at all Wichita Public Schools.
2. This authorized period of silence shall be for the purposes of educational benefit. To allow for the calming of students to prepare for the days instructional activities, and to allow students to gather their thoughts through individual reflection.
3. This policy has a clear secular purpose. It does not promote or inhibit religion, Nor does it excessively entangle the government and religion concept.

Administrative Implementation Procedures

Administrative Implementation Procedures

Administrative Implementation Procedures



*Testimony on House Bill 2807
before the
House Education Committee
February 11, 1998
by
Patricia E. Baker
Deputy Executive Director/General Counsel*

Thank you, Mr. Chairman and members of the Committee. On behalf of our member school boards, I appreciate the opportunity to make comments on H.B. 2807.

K.S.A. 72-5508a has been on the books since 1969. It was passed, as were laws in many states, after decisions by the United States Supreme Court rejected school sponsored prayer in public schools. To my knowledge, the Kansas Statute has not been challenged. Whether or not teachers have relied on this law is largely unknown. A teacher can, without any statutory authority, ask for quiet in the classroom. Likewise, a board of education can make "quiet time" a part of a school day. No statute is necessary.

Legislators and school boards in other states have not been as lucky as Kansas in avoiding litigation over "moment of silence" laws. In 1985 the United States Supreme Court struck down the Alabama moment of silence law and found that the purpose of that law was to endorse religion, in violation of the Establishment Clause of the First Amendment to the Constitution.

Since that time litigation in other states has resulted in a variety of decisions. The decisions have often revolved around the intent of the legislature or local board of education. The question that is always raised is: "what is the purpose of the law?" If the purpose is discipline or class control or other benign reason, constitutional problems do not occur - nor is a law necessary. If, however, the purpose is to encourage or establish prayer, then a constitutional problem exists.

These discussions of House Bill 2807 will bring public focus to both the existing law and the potential for district-wide mandated moments of silence. No doubt, at some point, this will lead to protracted and expensive litigation. From an attorney's viewpoint (and possibly a legislator's) this would at least answer the question of whether our law is constitutional. But, it will divert resources and attention away from the educational needs of our children.

Neither the current law nor H.B. 2807 is necessary for educators to maintain "Quiet".