

Approved: 3-14-2000
Date

MINUTES OF THE SENATE EDUCATION COMMITTEE.

The meeting was called to order by Chairperson Senator Barbara Lawrence at 9:00 a.m. on March 2, 2000 in Room 123S of the Capitol.

All members were present except: Senator Langworthy - Excused

Committee staff present: Avis Swartzman, Revisor
Ben Barrett, Legislative Research
Jackie Breymeyer, Committee Secretary

Conferees appearing before the committee: Representative Shari Weber

Others attending: See Attached List

Chairperson Lawrence called the meeting to order. Mark Desetti, KNEA, distributed reading materials to celebrate Read Across America day. Roy Williams, KU head basketball coach, is the honorary chairman and many athletes, as well as other persons, are reading to students across the state.

After several jovial comments about past school days by members of the committee, the Chairperson thanked Mr. Desetti and turned to:

HB 2862 - transportation of non-resident pupils

Representative Shari Weber, appeared on the bill and distributed testimony (Attachment 1) She explained why Representative Aurand could not be present to speak to the bill as he had to chair another meeting.

Representative Weber stated the bill addresses a loophole in the bill passed last year, **SB 17**. She related the story of the Boeh family of rural White City. Two of the family's three children can ride the bus because White City (out of district) is closer than Alta Vista, (in district) for grades 5-8. The third child is denied bus service because that child is closer to Dwight for grades K-4 (in district) than White City which is out of district. The third child is transported by parent to the nearest pick up point at the district boundary line which is two miles from the home.

Several members of the committee questioned why this could not be done without passage of legislation, but Representative Weber stated for whatever reason a school board chooses to permit or deny a child bus service, that decision stands; this is why the legislation is needed to permit a school district to transport certain nonresident pupils across school district boundaries for school attendance purposes.

Dale Dennis, Deputy Education Commissioner, stated this affects very few pupils.

Senator Emert moved to amend section 5 of HB 2862 by having the act take effect upon publication in the Register. He stated this would get transportation started as quickly as possible.

Senator Olen gave a second to the motion. The motion carried.

The Chairperson asked if there was any sentiment for doing away with the sunset. It was decided to leave the sunset on the bill for the present.

Senator Lee recommended passage of HB 2862 favorably as amended. Senator Olen gave a second to the motion. The motion carried.

The Subcommittees Chairpersons on Special Education and School Plans made a few comments on what was taking place and will have more in-depth reports at a later date.

The Chairperson stated she would allow time for the subcommittees to work next week.

The Chairperson called for final action on **HB 2655 - KS postsecondary educational savings program**
Senator Umberger recommended HB 2655 favorably for passage as amended. Senator Olen gave a second to the motion. The motion carried.

The meeting was adjourned.

SENATE EDUCATION COMMITTEE GUEST LIST

DATE: March 2, 2000

NAME	REPRESENTING
Blanche Parks	Treasurer's Office
MARK DEBETH	KNEA
Mark Talbot	KFSB
Christy Lewinep	KNEA
Cyndi Menzel	KNEA
Suri Kuby	Kansas House

STATE OF KANSAS

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HOUSE OF REPRESENTATIVES
68TH DISTRICT
Assistant Majority Leader

TESTIMONY ON HB 2862
SENATE EDUCATION COMMITTEE
March 2, 2000

Thank you, Madame Chairman and members of the committee, for the opportunity to appear before you today in support of HB 2862. This bill addresses a loophole in the “ten-mile bus law” which we passed last session. The Mike Boeh family of rural White City has written a letter regarding their school transportation situation which I have attached to my testimony. The legislation, Senate Bill 17, that passed last year helped their family to stay together in one school. However, there is a unique loophole that needs to be adjusted by House Bill 2862.

According to current law, not all of their children qualify for out-of-district busing. Their school district has released two of their children because White City (out-of-district) was closer than Alta Vista for grades 5-8 (in district). But their third child was denied because he is closer to Dwight for grades K-4 (in district) than White City (out-of-district).


Therefore, the White City (Dist #481) bus was able to drive into their yard, to their front step and pick up their two children that qualified by law. The third child, not able to ride the same bus by law, is transported by a parent, following the bus out of their yard, to the nearest pick up point at the district boundary line which is two miles from their home. This is the loophole that is unique.

Senate Education
3-2-2000
Attachment 1

House Bill 2862 would remedy this situation by clarification in the law. Originally the author of this legislation, Representative Clay Aurand, placed a sunset in this law. The ten-mile bus law was reinstated last session in the form of Senate Bill 17 and now I ask you to clarify this with House Bill 2862. This bill had a hearing in House Education, was placed on the consent calendar of the House and passed the House with 116 "yes" and 2 "no" votes.

Thank you for your favorable consideration. I appreciate your time.

Sincerely,


Shari Weber

State Capital Bldg.
Rep. Shari Weber
Room 303 N
Topeka, Kansas 66612
Tel. 785) 296-7674

Feb. 19, 1999

In reference to Senate Bill #17 (Ten Mile Bus Law), the Mike Boeh (Bay) family of rural White City will give testimony to a unique loophole that needs to be addressed. Currently as parents of three school-age children, we feel that this bill is important. We can now choose a school closer to our home in these times of constant going.

We live in District #417, better known as Council Grove. It consists of three small rural elementary schools along with a K-8 school in Council Grove. These four schools then feed (bus) into the District high school in Council Grove. Because of USD reorganization, Wilsey elementary lost their 7th & 8th grades which are bused to Council Grove, 11 miles away. Dwight houses K-4 and the Alta Vista school has grades 5-8. Children are bused to their home attendance centers and then bused to their appropriate school within the district. Dwight is 7 miles from Alta Vista and 18 miles from Council Grove. Alta Vista is 15 miles from Council Grove.

The three schools that our children would have to attend are 5, 12 and 23 miles from our home. There are other families that live as far as 30 miles away from a district center and whose children are attending three different schools within the district. They also would be closer to an out-of-district school. This new transportation law permits families to choose another school district with transportation provided.

This district decision to split grades in different communities has forced us to find a better solution for our children. We wanted our children to be together in one school, instead of the possibility of three different locations, which would make it very difficult to function as a family unit.

This is why and how the Senate Bill #17 has helped our family to stay together in one school. There is a unique loophole, however, that needs to be adjusted to accommodate the family transportation needs. According to this law, not all of our children qualify for out-of-district busing. Our district, by law, has released

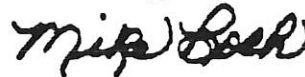
two of our children because White City (out-of-district) was closer than Alta Vista for grades 5-8(in district). But our third child was denied because he is closer to Dwight for grades K-4(in district) than White City (out-of-district).

Therefore, the White City (Dist.#481) bus was able to drive into our yard, to our front step and pick up our two children that qualified by law. The third child, not able to ride the same bus by law, is transported by a parent, following the bus out of our yard, to the nearest pick up point at the district boundary line which is two miles from our home. This is the loophole that is unique.

We feel this bill (Senate Bill #17) is needed by many families who live especially in rural areas, many miles from their district attendance center, but who reside closer to an out-of-district school. Because of our unique situation, we would like to see Senate Bill #17 be reworded to say that if one family member qualifies, then all family members would qualify for out-of-district transportation.

Thank you for allowing our family to express our concerns about the Senate Bill #17. We hope this loophole will be addressed and corrected, so that our needs as well as others, will be met, regardless of our choice of school district.

Sincerely,



The Mike Boeh Family