

Approved: 3/7/01  
Date

MINUTES OF THE HOUSE K-12 EDUCATION COMMITTEE.

The meeting was called to order by Chairperson Ralph Tanner at 9:00 a.m. on February 12, 2001 in Room 313-S of the Capitol.

All members were present except:

Committee staff present: Ben Barrett, Legislative Research  
Carolyn Rampey, Legislative Research  
Avis Swartzman, Revisor of Statutes  
Ann Deitcher, Committee Secretary

Conferees appearing before the committee: Beth Love, School Board Member, District 443  
Mark Tallman, Ks Association of School Boards

The Chair recognized Representative Peggy Long who in turn introduced Cynthia Leviton, Kansas State Coordinator of the "Stop the Violence" program. She spoke of the goal of the organization which is the prevention of violence. The intent is to stop violence in it's early stages by such actions as targeting such areas as the grade school bully who is believed to be in the beginning stages of a lifetime of violence.

**HB 2028 - School district finance, school facilities weighting, definition revised.**

Beth Love appeared before the Committee as a proponent of **HB 2028**. She spoke on behalf of Dr. Sharol Little, Superintendent, Dodge City USD 443, who was unable to appear due to inclement weather. (Attachment 1).

A discussion was held regarding **HB 2028** followed by points of clarification of various sections by Carolyn Rampey and Avis Swartzman of Legislative Research and the Revisor's Office. Dale Dennis also answered questions of Committee members.

The hearing on **HB 2028** was closed.

**HB 2070 - School board development plans.**

Testifying in support of **HB 2070** was Mark Tallman. (Attachment 2) The Chair also called attention to the written testimony that was provided to the Committee by Jacque Oakes, representing Schools for Quality Education. (Attachment 3).

The hearing on **HB 2070** was closed.

**HB 2155 - School safety, definition of weapon revised.**

Representative Tomlinson explained the amendments he was requesting be made to **HB 2155**. It was moved by Representative Tomlinson and seconded by Representative Horst that **HB 2155** be worked by the Committee. The motion carried on a voice vote.

It was moved by Representative Tomlinson to amend **HB 2155** to include the additions specified by Representative Tomlinson. The motion to amend was seconded by Representative Benlon and passed on a voice vote.

It was moved by Representative Tomlinson and seconded by Representative Storm that **HB 2155** be recommended for passage. The bill passed as amended on a voice vote.

The meeting was adjourned at 10:40 a.m. The next meeting is scheduled for Tuesday, February 13, 2001.

Testimony to the  
Kansas House of Representatives

In Support of

HB 2028

An Act Concerning School District Finance That Would Allow A  
District, In A County With A Community College, To More Easily  
Access "New Facilities Weighting" For Equipping A New Building

Monday, February 12, 2001

Dr. Sharol Little  
Superintendent  
Dodge City USD 443  
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Introduction and Overview

Dr. Morris Reeves  
College Trustee, DCCC  
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*employee  
College Trustee  
issue - 1<sup>st</sup> step*

Financial Overview

Dr. Stephen Bohrer  
Assistant Superintendent for Business Services  
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Dodge City's Experience

Dr. Little

Districts that would qualify  
and the number of students represented

House Education Committee K-12

Date: 2/12/01

Attachment # 1-1

## House Bill 2028

### New Facilities Weighting

Current law acknowledges that there should be an added component assigned to the enrollment of school districts on the basis of costs attributable to commencing operation of new facilities. It is proper that the legislature recognized that there were costs associated with opening a new facility. When enacting the statute however, the legislature added language which limited the assignment of this new facilities weighting to school districts only if they had adopted a Local Option Budget and budgeted therein the total amount authorized for the school year, which is currently 25%. I'm sure this was done to ensure the local commitment of a community to support their own programs; however, this presents an insurmountable hurdle for some school districts in Kansas, particularly to those located in one of the 18 counties hosting community college districts.

Community colleges in Kansas are funded by a combination of property taxes, tuition and state and federal support. According to the most recent report from the Board of Regents, 45.36% of Kansas community college support is from the countywide property taxes levied in these 18 counties. The same Regents report reveals that community colleges educate 42,544 FTE and the Regent's colleges and universities educate 65,417 FTE. Put another way, Kansas community colleges educate 39.4% of all students enrolled in higher education in the state of Kansas. If 45.36% of the 39.4% are funded from the property taxes, (approximately \$110,000,000) of these 18 counties, you can say that these property taxpayers are funding the cost of educating 17.8% of the students enrolled in higher education in the state. Most people think that higher education is funded solely by the state. The single issue addressed in HB 2028 is the difficulty of Unified School District's in the 18 counties to secure voter approval for a 25% LOB thus qualifying for New Facilities Weighting. We are asking you to allow USDs in these 18 counties for eligibility for New Facilities Weighting provided the local Board of Education budgets and levies the maximum Local Option Budget that is not subject to voter protest which is the statewide average. This will be your recognition of the property tax burden already placed on the taxpayers in these counties.

19 colleges

To demonstrate to you the level of property taxation for these taxpayers we have prepared two spreadsheets. The first is titled "Dodge City USD 443 Comparison to Mill Levies of Districts Receiving New Facilities Weighting" and the second is titled "Mill Levies of USDs in Community College Districts". The first report shows the ten unified school districts in Kansas receiving New Facilities Weighting and their total mill levies compared to Dodge City. You will note that the lowest mill levy is in Ulysses USD 214, which is not in a community college county, with a mill levy of 29.42 mills. The highest is DeSoto in Johnson County with a 7.64 community college mill levy and a high bond and interest mill levy for a total 80.2 mills. I would direct your attention to Dodge City which currently levies 80.98 mills counting 25.56 mills from the community college. If Dodge City were to levy a full 25% Local Option Budget, the mill levy would increase by 10.35 mills bringing the total to 91.24 mills. In an LOB election a year ago, the voters rejected the additional property taxes by a vote of 2 to 1. The second report lists those unified school districts in the counties with the community college mill levy. The community

college mill levies range from 7.65 mills in Johnson County to 39.18 mills in Pratt County, with the average around 25 mills.

In summary, there are a number of school districts in Kansas that find themselves in the position that New Facilities Weighting is simply not available because of the community college property tax on the taxpayers of the district. We cannot fault the taxpayers for rejecting property tax increases when they are already paying the community college tax. You cannot fault the local Boards of Education for wanting the same benefits for their school district as others in the state. Only the legislature can provide a level playing field for these school districts that find themselves in this situation. We solicit your support for House Bill 2028.

4-1

DODGE CITY USD 443  
 COMPARISON TO MILL LEVIES  
 OF DISTRICTS RECEIVING  
 NEW FACILITIES WEIGHTING

USD	Unified School District Name	Total Adjusted Enrollment	New Facilities Weighting	LOB % Authority	LOB per pupil	Total USD Assessed Valuation Per Pupil	GFMills	Local Option Budget Mill Levy	Capital Outlay Fund Levy	Bond and Interest Fund Levy	2000-2001 Community College Mill Levy	Total School Levies	County Number
443	Dodge City (2000-2001)	5,107.8	0.0	13.1%	\$578	\$28,716	20.00	12.72	4.00	18.70	25.56	80.98	29
489	Hays	3,430.2	8.0	25.0%	\$1,124	\$42,569	20.00	19.96	5.89	3.79	0.00	49.64	26
501	Topeka	13,489.4	11.7	25.0%	\$1,072	\$38,166	20.00	20.52	4.00	6.97	0.00	51.49	39
231	Gardner-Edgtn-Antch	2,552.3	14.8	25.0%	\$1,047	\$43,061	20.00	17.06	3.84	27.03	0.00	67.93	46
214	Ulysses	1,769.6	19.4	25.0%	\$1,134	\$157,155	20.00	6.42	3.00	0.00	0.00	29.42	34
218	Elkhart	550.0	22.1	25.0%	\$1,566	\$96,794	20.00	16.83	4.00	8.00	0.00	48.83	65
500	Kansas City	19,995.5	28.3	25.0%	\$1,111	\$28,310	20.00	21.18	3.88	0.00	18.35	63.41	105
512	Shawnee Mission	30,336.8	130.4	25.0%	\$1,047	\$76,224	20.00	11.04	4.00	6.05	7.64	48.73	46
233	Olafie	19,306.8	197.9	25.0%	\$1,079	\$50,632	20.00	21.49	3.96	16.64	7.64	69.73	46
232	DeSoto	2,803.3	320.5	25.0%	\$1,165	\$46,840	20.00	22.82	3.99	25.75	7.64	80.20	46
229	Blue Valley	15,969.3	466.0	25.0%	\$1,168	\$80,809	20.00	11.62	4.00	22.55	7.64	65.81	46

Note: For Dodge City to levy a full 25% LOB the mill levy would increase by 10.35 mills bringing the total to 91.24 mills. Community College and USD 443 data are 2000-2001, all others are 1999-2000 data.

Source: KASB Research Department

MII Levies of USD's  
In Community College Districts

USD	Unified School District Name	Total Adjusted Enrollment	New Facilities Weighting	Actual LOB %	GFMills	Local O'Brien Budget Mill Levy	Capital Outlay Fund Levy	Bond and Interest Fund Levy	Total School Levies	County Number	County Name	Community College Mill Levy	Total School Mill Levy Inc CC's
202	Turner	3,656.2	0.0	25.0%	20.00	18.48	3.97	22.37	67.94				
428	Great Bend	3,158.5	0.0	10.3%	20.00	9.61	3.99	14.77	53.72	105	Wyandotte	18.35	86.29
382	Pratt	1,374.0	0.0	13.2%	20.00	16.24	3.00	3.57	42.81	5	Barton	30.88	84.60
447	Cherryvale	678.8	0.0	9.8%	20.00	13.06	0.00	9.60	44.59	76	Pratt	39.88	82.67
443	Dodge City	5,107.8	0.0	10.3%	20.00	12.72	4.00	18.70	55.42	63	Montgomery	36.82	81.41
232	DeSoto	2,803.3	320.5	24.7%	20.00	22.82	3.99	25.75	73.31	29	Ford	25.58	80.98
413	Chanute	1,965.8	0.0	18.5%	20.00	14.94	3.98	9.91	52.27	46	Johnson	7.65	80.96
446	Independence	2,240.5	0.0	13.5%	20.00	12.11	3.01	4.22	42.98	67	Neosho	27.84	80.11
204	Bonner Springs	2,175.0	0.0	25.0%	20.00	19.12	5.91	12.80	57.83	63	Montgomery	36.82	79.80
231	Gardner-Edgrtn	2,552.5	14.8	24.4%	20.00	17.06	3.84	27.08	67.93	105	Wyandotte	18.35	76.18
431	Hoisington	756.7	0.0	9.1%	20.00	11.67	0.00	11.43	44.46	46	Johnson	7.65	75.58
503	Parsons	1,720.4	0.0	17.7%	20.00	17.48	0.00	9.22	50.75	5	Barton	30.88	75.34
504	Oswego	530.5	0.0	8.8%	20.00	11.27	3.99	13.48	50.74	50	Labette	24.47	75.22
381	Spearville	362.0	0.0	3.2%	20.00	4.02	4.00	18.56	49.33	50	Labette	24.47	75.21
445	Coffeyville	2,276.2	0.0	9.9%	20.00	8.16	4.00	0.00	36.67	29	Ford	25.58	74.89
229	Blue Valley	15,969.3	466.0	25.0%	20.00	11.62	4.00	22.55	65.80	63	Montgomery	37.56	74.23
465	Winfield	2,662.6	0.0	19.4%	20.00	15.04	4.00	9.74	53.26	46	Johnson	7.65	73.25
233	Olathe	19,306.8	197.9	25.0%	20.00	21.49	3.98	16.64	65.50	18	Cowley	19.97	73.23
500	Kansas City	19,995.5	28.3	25.0%	20.00	21.18	3.88	0.00	53.50	46	Johnson	7.65	73.15
394	Rose Hill	1,825.6	0.0	15.8%	20.00	17.22	3.99	10.83	54.65	105	Wyandotte	18.35	71.85
258	Humboldt	535.9	0.0	7.1%	20.00	10.74	4.00	14.65	51.27	8	Butler	17.13	71.78
203	Piper	1,283.4	0.0	15.9%	20.00	14.25	4.00	13.62	51.87	1	Allen	19.51	70.78
308	Hutchinson	4,908.9	0.0	17.8%	20.00	13.28	1.18	9.64	48.81	105	Wyandotte	18.35	70.22
385	Andover	2,898.7	0.0	15.3%	20.00	15.20	3.99	13.57	52.76	78	Reno	21.49	70.10
101	Erie-St. Paul	1,183.1	0.0	17.7%	20.00	16.37	3.98	0.00	40.35	8	Butler	17.13	69.89
462	Central	423.0	0.0	5.3%	20.00	4.62	4.00	18.25	48.16	67	Neosho	27.84	68.19
312	Haven	1,122.9	0.0	15.0%	20.00	11.99	0.00	14.55	46.54	18	Cowley	19.97	68.13
333	Concordia	1,308.1	0.0	10.5%	20.00	10.49	0.00	9.51	40.45	78	Reno	21.49	68.03
230	Spring Hill	1,363.3	0.0	25.0%	20.00	20.03	3.95	13.75	59.98	15	Cloud	27.55	68.00
313	Buhler	2,257.4	0.0	14.3%	20.00	12.13	3.90	9.40	45.43	46	Johnson	7.65	67.61
438	Skyline	386.5	0.0	3.8%	20.00	6.56	0.00	0.00	26.56	78	Reno	21.49	66.92
354	Clafflin	337.5	0.0	7.5%	20.00	9.89	3.97	0.00	34.85	76	Pratt	39.88	66.42
463	Udall	328.2	0.0	2.8%	20.00	6.35	3.79	13.71	45.74	5	Barton	30.88	65.73
205	Bluestem	785.0	0.0	6.2%	20.00	7.55	4.00	16.80	48.35	18	Cowley	19.97	65.71
470	Arkansas City	2,870.5	0.0	15.0%	20.00	10.60	0.00	9.93	45.33	8	Butler	17.13	65.48
483	Kismet-Plains	733.6	0.0	0.0%	20.00	0.00	4.00	12.48	38.05	18	Cowley	19.97	65.30
257	Iola	1,680.0	0.0	14.1%	20.00	14.21	0.00	11.13	45.34	88	Seward	26.92	64.97
375	Circle	1,467.4	0.0	10.8%	20.00	10.03	3.99	13.58	47.60	1	Allen	19.51	64.85
505	Chetopa	271.0	0.0	11.2%	20.00	16.17	3.90	0.00	40.07	8	Butler	17.13	64.73
436	Caney Valley	959.5	0.0	4.6%	20.00	4.81	0.00	0.00	26.68	50	Labette	24.47	64.54
457	Garden City	7,218.7	0.0	10.3%	20.00	10.20	3.99	11.24	45.43	63	Montgomery	37.56	64.24
506	Labette County	1,786.8	0.0	14.6%	20.00	15.45	4.00	0.00	39.45	28	Finney	18.53	63.96
309	Nickerson	1,358.5	0.0	11.3%	20.00	9.64	4.00	0.00	41.44	50	Labette	24.47	63.92
311	Pretty Prairie	326.8	0.0	11.2%	20.00	14.71	3.97	0.00	40.57	78	Reno	21.49	62.93
480	Liberal	4,069.0	0.0	0.0%	20.00	0.00	4.00	10.88	34.88	78	Reno	21.49	62.06
402	Augusta	2,226.7	0.0	3.7%	20.00	6.02	4.00	13.46	44.52	88	Seward	26.92	61.80
315	Colby	1,132.5	0.0	7.6%	20.00	9.67	0.00	5.80	35.47	8	Butler	17.13	61.85
334	Southern Cloud	272.5	0.0	6.8%	20.00	9.70	3.50	0.00	33.20	97	Thomas	25.95	61.42
459	Bucklin	354.0	0.0	3.2%	20.00	5.59	4.00	2.80	35.17	15	Cloud	27.55	60.75
490	El Dorado	2,178.5	0.0	16.9%	20.00	13.11	3.98	5.49	42.58	29	Ford	25.58	60.78
234	Fl. Scott	2,114.6	0.0	2.7%	20.00	0.00	0.50	12.25	39.67	8	Butler	17.13	59.71
314	Brewster	160.5	0.0	7.1%	20.00	8.20	4.00	0.00	33.20	6	Bourbon	19.64	59.31
363	Holcomb	906.8	0.0	25.0%	20.00	5.86	4.00	7.77	40.16	97	Thomas	25.95	58.15
316	Golden Plains	179.3	0.0	2.1%	20.00	1.03	3.92	6.82	31.77	28	Finney	18.53	58.69
310	Fairfield	448.3	0.0	10.0%	20.00	11.88	3.97	0.00	35.85	97	Thomas	25.95	57.72
396	Douglass	905.6	0.0	8.2%	20.00	7.18	3.99	4.91	37.08	78	Reno	21.49	57.34
256	Marmaton Valley	425.2	0.0	0.0%	20.00	0.00	3.83	10.61	34.44	8	Butler	17.13	54.21
486	Elwood	329.7	0.0	0.0%	20.00	0.00	4.07	13.48	38.55	1	Allen	19.51	53.95
492	Flinthills	339.0	0.0	6.1%	20.00	10.16	4.00	0.00	34.46	22	Doniphan	14.84	53.39
208	Remington	548.5	0.0	9.0%	20.00	9.12	4.00	0.00	33.12	8	Butler	17.13	51.58
512	Shawnee Mission	30,336.8	130.4	25.0%	20.00	11.04	4.00	6.05	41.25	8	Butler	17.13	50.25
235	Uniontown	509.2	0.0	0.0%	20.00	0.00	0.00	8.14	28.14	46	Johnson	7.65	48.90
471	Dexter	206.7	0.0	0.0%	20.00	0.00	0.00	3.88	0.00	6	Bourbon	19.64	47.78
425	Highland	280.7	0.0	6.8%	20.00	10.07	0.00	0.00	25.84	18	Cowley	19.97	45.81
429	Troy	405.2	0.0	7.6%	20.00	7.93	0.00	0.00	30.07	22	Doniphan	14.84	44.91
406	Wathena	407.0	0.0	0.0%	20.00	0.00	0.00	0.00	22.58	22	Doniphan	14.84	44.45
433	Midway	232.0	0.0	0.0%	20.00	0.00	0.00	0.00	20.00	22	Doniphan	14.84	34.84

60 districts within  
18 counties  
1-5



In the past eight years Dodge City public schools have increased an average 127 students per year. Nine hundred additional students make it hard to keep up purchases of books, waste cans, desks, file cabinets, and library books. The general fund budget has expanded, with help of the legislature and the LOB, to meet the increased staffing needs of the district and associated expenses of adding three elementary schools and now a 336,000 square foot high school, but it hasn't been easy. What an understatement!

In the past eight years the district has voted two bond issues totaling \$60,000,000 that will culminate with a total of 500,000 new or remodeled square feet of space. Our problem is trying to equip it to today's standards. The high school needs 600 additional computers now, and the elementary schools are still using 486 computers. We've lopped off the green house and can't purchase the needed equipment to mow the sixty acre site. We've contracted for \$74,000 in moving expenses. The district's technology plan is \$0.8 million per year short of implementation. The elementary school parking lots were scaled back to allow for more inside needs, but the stretching can't go on forever. There are 120 additional students coming next year!

The new high school that will open in August, needs four additional custodians and will be full on the first day with three teachers with no assigned classroom. By the next year the existing high school will have been remodeled into a 750 student 5th/6th grade center that will necessitate hiring eight custodians, six cooks, and three secretaries as it will be additional space with no transfers except for the 5th grade teachers who will free rooms at the elementary schools. All of that building's furniture and equipment will have to be purchased new, as it is all expanded space to accommodate our growth. All of this will still leave the district with one of the highest pupil teacher ratios in the state; nearly 26 to one.

The tax payers have been wondrous in providing the necessary resources to accommodate the phenomenal growth of this decade. What we can't do is keep up with the needs of school improvement, a growing majority Hispanic population, a 80% free and reduced population, aging technology, and other circumstances that endanger our ability to provide the quality, all desire.

New Facility Weighting (NFW) would help us meet these needs. As explained elsewhere in our testimony, we can not access the trigger for NFW as the community feels maxed out after two successful bond elections and new community improvements that increased the sales tax. Wealthier districts (i.e.: valuation per student) seem to be able to have it all. Their generally younger and more upwardly mobile populations understand better the importance of education and are willing to pay for it. Court cases and legislation have taught us this decade that where one lives should not make a difference in the quality of education students receive, but besides equity we're having problems with adequacy. The 25 mills that Ford County taxpayers currently provide for the community college make the total education levy in the county one of the highest in the state; nearly 26 to 1.



**PROJECTED NEW FACILITIES  
WEIGHTING REVENUE**

YEAR	NORTHWEST SCHOOL	LIAM SCHOOL	HIGH SCHOOL	COMMANDER SWANSON GRADE CENTER	TOTAL FTE x 0.25	BASE BUDGET PER FTE	FUNDING FOR NEW FACILITIES	LOST DUE TO FAILED 23% LOB (MAY 2000)
FY00-01	40	80			30	\$3,920		\$114,600
FY01-02	80	80	1415		394	\$3,870	\$1,523,313	
FY02-03			1447	500	487	\$3,920	\$1,908,060	
FY03-04				500	125	\$3,970	\$496,250	

**TOTAL**

**\$3,928,123**

*Over 2 million lost  
in NFW prior to 2000  
in by the 3 element*

8-1

**Statewide Benefits: H..B. 2028**

Superintendent Sharol Little

As superintendent of Dodge City Public Schools I am asking for your support for H..B. 2028. The journal article entitled, "Who's Going To Fix Our School Buildings," (page 10) points out that

- Voters don't want higher taxes,
- School administrations and Boards are not equipped to address complex and technical facility problems,
- Architects, engineers, and contractors have large personal and financial interests at stake.

- Legislators are the ones with the answers.

**Two untruths about this Bill:**

1. I have heard this Bill referred to as the "Dodge City Bill."

However, it will provide relief for the school districts located in the 18 counties that have a community college which levy property taxes (p.12). This represents

- 62 school districts or 20% (excluding Johnson County)
- 100,324 students or 22%

2. This bill does not take funds from any school district. It provides relief to those districts burdened with property tax. It benefits both large and small districts equally.

New Facilities Weighting (NFW) has been enjoyed by school districts with a full 25% Local Option Budget for years. As shown in the chart on page 11, nine of the 19 that have a full LOB use NFW. The Dodge City School district or any other district that is trying to better their school buildings should be able to qualify for New Facilities Weighting.

One of the reasons these 60 districts cannot qualify for a full LOB and thus NFW is because they are also assessed community college property tax levies which average 25 mills across the state. And yet the students attending the community colleges come from the entire state (p. 6).

There are 32 district located in a county with a regents institution which are not assessed additional tax levies for the university in their county. The entire state helps to fund these regent institutions. As a result, the school districts in these counties average a higher usage of LOB funds and qualify for NFW when they open a new building (9). If they were assessed an additional property tax for the university in their county it might be a different story.

**Example:** The Hays school district is located 150 miles to the north of Dodge City in Ellis County where the regents institution of Fort Hays State University is located. They

have a full LOB since its inception. They are able to build new buildings in the midst of declining enrollment. They qualify for NFW on every portable they have added in the last six years. This past year they even levied an additional two mills in their capital outlay without protest. They boast a class size of 13 to 1 and good yearly raises. If they were assessed the additional 25 mills for their college they would be at the same level as Dodge City (see page 9; Hays is  $49.64 + 25 \text{ mills} = 74.64$ , Dodge City is  $80.98 - 25 \text{ mills} = 55.98$ ).

**Closing**

We are asking for your help in the passage of H.B.2028. It would give 60 districts and over 100,000 students who reside in a community college county the opportunity to qualify for New Facilities Weighting without a full LOB.

**Questions?**

## Who's Going to Fix Our School Buildings?

**W**as "Chicken Little" correct? Is the sky really falling? If you're in one of our nation's public school buildings, there's a good chance it was only a chunk of the plaster ceiling.

In their struggle to survive, many public schools find themselves in a "Catch 22" — they can't get additional funding until they produce better results, and yet they aren't able to produce better results without increased funding. Inadequate facilities are but one part of today's public school crisis. However, facilities appear to be the most difficult and most expensive part of the problem to be solved.

How can public schools be expected to improve the quality of their educational product dramatically in buildings built in a different time, for a totally different set of social, cultural and educational norms? The majority of our school buildings are not only antiquated, they are worn out. In fact, in many cases they are falling apart.

The voters in many parts of this country seem very reluctant to provide their public schools with the additional money needed to repair and maintain their facilities. This dilemma is most prevalent in the poorest urban and rural districts, where the problems are most severe and the resources are most limited.

It is ludicrous to believe that within the foreseeable future these school districts will be able to raise the large bankrolls required to redevelop and adequately equip their public school facilities to serve the basic physical, emotional and psychological needs of the children they are expected to educate. Teachers cannot successfully teach in environments where children do not feel physically safe, comfortable or emotionally secure.

Every day the scope of this school facility problem gets bigger and the cost of its resolution grows at an accel-

erating pace. Many school districts can no longer convince their largely disenfranchised public that they should once again vote to increase their own taxes to pay for tremendously expensive capital improvement projects.

*Many of our public school facilities are wearing out.*

*Voters are not inclined to*

*give their public schools*

*the money they need to fix*

*their facilities. Our school*

*boards' administrators are*

*not equipped to address*

*these complex and techni-*

*cal facility problems.*

School boards and school administrators are dedicated, well-meaning and capable people. School superintendents and administrators are trained to educate and are experienced and qualified in the administration of a school system. However, school board members and school administrators are almost never experts in school facility design and construction.

Expecting a school administrator or a board of education member to assume the role of project manager and director of a multi-million-dollar facility development project is comparable to asking your accountant to perform a root canal on your abscessed tooth.

School districts faced with major facility development needs are turning to architects and construction managers to guide them through the mine-

field of the facility design and construction process. Most architects and contractors are highly qualified professionals who truly want to help their clients gain the maximum value from their development projects. However, creative people tend to be eternal optimists. In their efforts to keep their clients happy, they often convince themselves, as well as the clients, that the project will develop without hitches, changes, problems or surprises and that the construction bids will all come in at or below the cost estimates. It's not what architects and construction managers tell their clients that gets their projects into hot water. It is what they sometimes neglect to communicate that ends up giving everyone a bad case of heartburn.

So there's the rub. Many of our public school facilities are wearing out. Voters are not inclined to give their public schools the money they need to fix their facilities. Our school boards' administrators are not equipped to address these complex and technical facility problems.

Architects, engineers and contractors have large personal and financial interests at stake, which may conflict with their ability to represent the interests of a project fairly and without bias.

What are public school districts to do? This is the hundred-billion-dollar question that state and federal legislators must answer if we are to provide all school-aged children a thorough and effective education. ▲

*David L. Pressler is chair and CEO of PFB Architects, Inc., in Cincinnati, Ohio, and a member of the Madeira City Schools Board of Education.*

1-11

## Support Material for HB 2028

An act concerning school district finance that would allow a district in a county with a community college to more easily access "New Facilities Weighting" for equipping a new building

	Number of Districts	Average Authorized LOB%	Average Used LOB%	Average LOB mill levy	Total Mill Levy For All Funds	Affected Students
districts in a county with a community college (excluding Johnson County)	62	14.0	9.9	9.5	43.0	100,324
districts in a county with a regents institution	32	15.0	12.3	11.4	46.2	131,995
Kansas as a whole	304	14	9.9	9.62	40.24	447,777

	districts	%	low LOB levy	high LOB levy	average LOB levy
districts with an LOB	268	88%	0.16	39.45	11.04
districts without an LOB	35	12%			

districts with "new facilities weighting"     10     Ulysses, 214; Blue Valley, 229; Gardner, 231; DeSoto, 232; Olathe, 233; Hays, 489; Kansas City, 500; Topeka, 501; Shawnee Mission, 513     *Elkart*

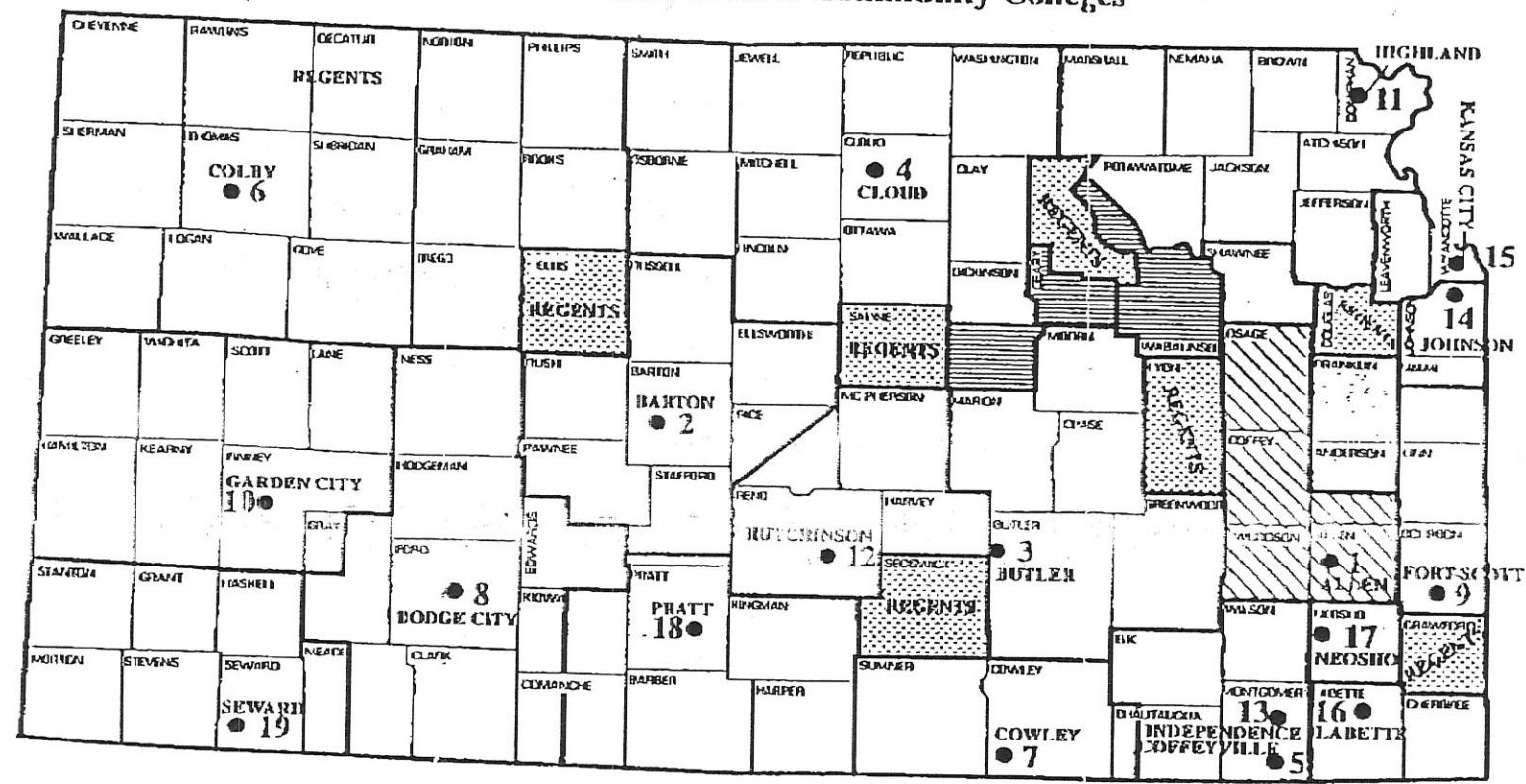
districts with a full 25% LOB     19

1-12

1-13

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## Kansas Community Colleges and Service Areas for Kansas Community Colleges



12

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. Allen County Community College, Iola</li> <li>2. Barton County Community College, Great Bend</li> <li>3. Butler County Community College, El Dorado</li> <li>4. Cloud County Community College, Concordia</li> <li>5. Coffeyville Community College, Coffeyville</li> <li>6. Colby Community College, Colby</li> <li>7. Cowley County Community College, Arkansas City</li> <li>8. Dodge City Community College, Dodge City</li> <li>9. Fort Scott Community College, Fort Scott</li> <li>10. Garden City Community College, Garden City</li> </ol> | <ol style="list-style-type: none"> <li>11. Highland Community College, Highland</li> <li>12. Hutchinson Community College, Hutchinson</li> <li>13. Independence Community College, Independence</li> <li>14. Johnson County Community College, Overland Park</li> <li>15. Kansas City Kansas Community College, Kansas City</li> <li>16. Labette Community College, Parsons</li> <li>17. Neosho County Community College, Chanute</li> <li>18. Pratt Community College, Pratt</li> <li>19. Seward County Community College, Liberal</li> </ol> |
|---|--|

- Service area for Allen County
- Service area for Neosho County
- Regents
- Unassigned Area



TO: House Committee on Education  
FROM: Mark Tallman, Assistant Executive Director  
DATE: February 12, 2001

RE: **Testimony on H.B. 2070 – School Board Development Program**

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to testify in support of H.B. 2070, which you voted to introduce at our request.

**What the bill would do:**

H.B. 2070 would require each member of the board of education of a unified school district to earn a minimum of 10 credit hours of board development each year (Sec. 3). The State Board of Education would adopt rules and regulations to administer the program and set standards for the approval of board development programs (Sec. 2). Any person or organization could apply to state board for approval to sponsor qualifying programs. The state board could also revoke approval if the program failed to meet qualifications (Sec. 4). School board members could also apply to the state board for approval of educational activities from sponsors that the state board had not approved (Sec. 5). The state board would keep a record of credit hours earned by local board members and could grant waivers or extensions of time to complete requirements due to hardship, disability or other good cause (Sec. 3, (b) and (c)).

**What the bill would not do:**

The bill does not contain a penalty for noncompliance. Board members would not be removed from office if they did not complete the requirements of the bill. However, each board member's compliance would be public record and could be a factor in local electoral decisions by the voters.

**History of the bill:**

Prior to the early 1990's, KASB opposed mandatory training programs for local board members. At that time, however, KASB members were becoming increasingly concerned about the need for strengthening education and the role played by local board members. KASB was one of the first school board associations in the nation to develop services around the area of educational quality and improvement. In 1991, the KASB Delegate Assembly, composed of a delegate chosen by every member board, voted to change our association's position to support mandatory board member training.

House Education Committee

Date: 2/12/01

Attachment # 2-1

In 1992, a bill identical to H.B. 2070 was introduced with KASB's support and passed both the House and Senate. However, Governor Joan Finney vetoed it and a vote to override fell short. KASB requested introduction of this bill several times in subsequent years, but no action has been taken by the Legislature.

**Why this bill is needed:**

The Kansas constitution is one of the few in the nation that actually requires local control of education by requiring that public schools be "maintained, developed and operated by locally elected boards." Although the Legislature has very broad power to determine the structure, organization and powers of school districts, it cannot override the constitutional requirement that local school boards, elected by the people, play a key role in the governance of public schools.

However, the governance of public education has become increasingly complex. Quite simply, schools and school boards cannot exist and operate in a vacuum. To effectively discharge their responsibilities for the children of Kansas under an ever-widening array of state and federal requirements, school board members need information and education. Local control cannot be synonymous with isolation. If we expect teachers and administrators to receive continuing education – and Kansas requires this through both state law and regulations – we should expect no less from the boards that employ and supervise them.

**How boards and board members could receive training:**

The bill is very broad in allowing for training to be provided. Our organization provides a number of training opportunities throughout the year and would expect to apply for approval of these programs. But programs provided by regional service centers, colleges and universities, and even private individuals, could also be approved by the state board. Many of these programs are offered at conferences in different locations throughout the state or at national meetings. However, KASB also provides training programs for individual boards so that no additional travel is required. Other program providers could certainly do the same.

**Requirements in other states:**

This requirement would not be unique to Kansas. Attached is a report prepared about one year ago by the North Carolina School Boards Association, which indicates that approximately 16 states have a board training requirement. As you can see, these provisions vary considerably throughout these states.

Thank you for your consideration.



## School Board Training

State	Required Training	Length	Type	Enforcement	Commentary
Alabama	No				
Alaska	No				
Arizona	No				
Arkansas	Yes [§ 6-13-629]	6 hours		None	
California	No				
Colorado	No				
Connecticut	No				
Delaware	No				
District of Columbia	No				After June, 2000, the Board of Education will regain full authority and probably authorize required training.
Florida	No				
Georgia	Yes [§ 20-2-230]	1 day (proposed legislation of 12 hours)	Annual	Some (negative publicity)	Board is in violation of state standard if required training is not met.
Hawaii	No				
Idaho	No				
Illinois	No				
Indiana	No				
Iowa	No				
Kansas	No				Legislative attempts at requiring training have occurred over the past decade, but nothing has yet been passed.
Kentucky	Yes [§ 160.180(5)]	Scaled requirements: 12 hours for members with 0-3 years experience; 8 hours for 4-7 years; 4 hours for 8 or more years.	Annual	Yes	State Board may remove member based upon report of deficient training from Board Association. Attorney General may file ouster proceeding in circuit court (less likely than State Board removal, but possible).
Louisiana	Yes [R.S. 17:53] [1998 Session, Act 66, H.B. No. 71]	6 hours	First year only	No	Enforcement is a current topic of debate.

Maine	No				
Maryland	No				
Massachusetts	No				Association's Board of Directors will propose a resolution to the legislature to require training November, 1999.
Michigan	No				
Minnesota	Yes [§ 123B.09]	About 3 hours	First year only	No	Required training for the subject of school finance only.
Mississippi	Yes [§ 37-7-306]	6 hours		Yes	Removal
Missouri	Yes [§ 162.203]	16 hours	First year only	Not specifically	A school district whose board members were not trained was marked down on its accreditation. However, the state board had not followed administrative rulemaking procedures, and a court ruled against the accreditation repercussion.
Montana	No				
Nebraska	No				
Nevada	No				
New Hampshire	No				
New Jersey	Yes [§ 18A: 12-33]	Training program with unspecified hours	First year only	No	
New Mexico	No				Association's Board of Directors will probably propose legislation requiring 5 hours of training in September, 1999.
New York	No				Some legislative interest in mandating training.
North Carolina	Yes [N.C.G.S. § 115C-50]	12 hours	Annual	No	Various sources of training, subjects include law, finance, duties and responsibilities.
North Dakota	Yes [§ 15-29-01.1]		First year only	No	
Ohio	No				

Oklahoma	Yes [Title 70 O.S. § 5-110, §§ 57, 58. Title 51 O.S. § 8, §727.]	Scaled requirements for 5 year term: <u>New members</u> - 15 hrs within 1 <sup>st</sup> year and 12 hours over the next 4 yrs; <u>Incumbents</u> - 6 hrs within 1 <sup>st</sup> year and 12 hours over next 4 yrs.		Yes	Removal by local board
Oregon	No				
Pennsylvania	No				Unsuccessful attempts to require training in past 2 yrs
Rhode Island	No				
South Carolina	Yes [§ 59-19-45]	Unspecified	First year only	No	Subjects include policy development, personnel, superintendent relations, finance, law, ethics and community relations
South Dakota	No				
Tennessee	Yes [§ 49-2-202(a)(5)]	1 day	Annual	Yes	Commissioner may withhold funding or remove member. State department monitors training attendance.
Texas	Yes [§ 11.159]			Not explicit	Some enforcement through accreditation sanctions. Also, local board sends report of non-compliance to media prior to elections.
Utah	No				
Vermont	No				
Virginia	Yes [§ 22.1-253.13:5]	1 event/year		Some	An extra event is required and there is a possibility of removal.
Washington	No				
West Virginia	Yes [§ 18-5-1a]	7 hours	Annually	Yes	Removal (district attorney prosecutes and court removes from office)
Wisconsin	No				
Wyoming	No				

3  
2-5  
2-4

TO: NCSBA

FROM: Rachel Esposito

DATE: September 21, 1999

RE: States Requiring School Board Training – Penalties and Procedures

Arkansas

- no penalty

Georgia

- GA education Leadership Academy verifies attendance
- no statutory penalty
- negative publicity

Kentucky

- removal
- local board certifies completion in writing to KSBA
- State Board may remove based upon report from KSBA
- Dept. of Education reports names of members who fail to complete training to the Attorney General

Louisiana

- local superintendent verifies completed training
- no penalty

Minnesota

- no statutory penalty
- provision for removal but not formally tied to missing training

Mississippi

- removal if training not completed within 6 mos.

Missouri

- no statutory penalty

New Jersey

- no statutory penalty

North Dakota

- no statutory penalty

Oklahoma

- **removal**
- local board of education declares seat vacant

South Carolina

- no penalty

Tennessee

- **removal**
- commissioner of education removes if training requirements prescribed by state board have not been met

Texas

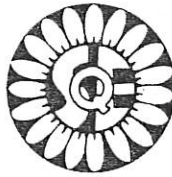
- no statutory penalty

Virginia

- no statutory penalty
- extra event is required
- possible threat of removal

West Virginia

- **removal**
- state board petitions circuit court of Kanawha County to remove if member fails to complete training without good cause



## Schools for Quality Education

Bluemont Hall Manhattan, KS 66506 (913) 532-5886

February 12, 2001

TO: HOUSE EDUCATION COMMITTEE

FROM: SCHOOLS FOR QUALITY EDUCATION--Jacque Oakes

SUBJECT: HB 2070--SCHOOL BOARDS, DEVELOPMENT PROGRAM

Mr. Chair and Members of the Committee:

Schools for Quality Education is an organization representing 111 small school districts.

We are submitting written testimony in favor of HB 2070 which would allow the State Board of Education to prescribe standards for accreditation of sponsors of programs and courses for School Board members for their continuing education and development.

School Board members are to be admired because they voluntarily, without pay, enter into service to manage and improve their school district in their own individual communities. There are no qualifications to run for the office nor should there be. But now, with QPA, there are many more requirements and procedures for school districts which require the attention of School Board members. Administrators and teachers are highly trained, and we believe School Board members should receive just a small piece of their own training.

Among the many priorities, School Board members must learn to be policy makers, time managers and user friendly. It is not easy to know when you are micromanaging your district instead of overseeing the policies and delegating the duties. Too many hours can be spent on chasing the wrong issues or on too many details. Decisions made in the late evening hours are not sometimes the best ones. School Board members must have the ability to listen to their patrons, and then they need to discern whether the issue is valid and who needs to hear it.

We believe School Board members will be better qualified to keep up with the ever changing issues if this development program, HB 2070, is passed by the House Education Committee.

Thank you for your consideration.

House Education Committee

Date: 2/12/01

Attachment # 3

**"Rural is Quality"**