

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairperson Kathe Decker at 9:00 a.m. on February 10, 2004 in Room 313-S of the Capitol.

All members were present except:  
Representative Daniel Williams- excused

Committee staff present:  
Kathie Sparks Legislative Research Department  
Art Griggs Legislative Research Department  
Ann Deitcher Secretary

Conferees appearing before the committee:  
Representative Bill Mason  
Mark Tallman, KASB  
Dave DuBois, Supt. USD 242  
Raymond Dykens, Supt. USD 499  
Dennis Burke, Supt. USD 508  
Michael Newman, Supt. USD 508  
Winston Brooks, Supt. Wichita Schools

**HB 2631 - Concerning state financial aid for certain education purposes relating to students who do not live in Kansas.**

Representative Mason offered testimony in support of **HB 2631**. (Attachments 1 and 2).

Speaking as an opponent to **HB 2631** was Mark Tallman. (Attachment 3).

Superintendent Dave DuBois appeared in opposition to **HB 2361**. (Attachment 4).

Appearing next as an opponent to **HB 2361** was Superintendent Raymond Dykens. (Attachment 5).

Superintendent Dennis Burke, spoke in opposition to **HB 2361**. (Attachment 6).

Also appearing as an opponent to **HB 2361** was Superintendent Michael Newman. (Attachment 7).

Written only testimony was offered by Superintendents Bob Hightree, USD 255; David L. Walters, USD 404 and Mac Plummer, USD 217. (Attachments 8, 9 and 10).

Following a question and answer session, the meeting on **HB 2361** was closed.

The Chair introduced Superintendent Winston Brooks who spoke to the Committee of the formation of SuperSAC in the Wichita High Schools. He then introduced the students who are members of the Council who explained the function of the organization.

The meeting adjourned at 10:55. The next meeting is scheduled for Wednesday, February 11, 2004.

WILLIAM G. (BILL) MASON  
 REPRESENTATIVE, 75TH DISTRICT  
 BUTLER COUNTY



TOPEKA

HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
 CHAIRMAN FEDERAL AND STATE AFFAIRS  
 JOINT COMMITTEE ON TRIBAL AFFAIRS  
 MEMBER EDUCATION

Thank you, Madame Chairman and fellow committee members

Thank you for hearing HB 2631 this morning. The bill makes some much needed changes relating to pupils who do not live in Kansas but attend in state schools.

Presently the State of Kansas pays a school district that sends their Kansas students to schools in an adjoining state. The sending school district may then have an agreement with a receiving school district to pay them not more than one half of the budget per pupil of the sending school district.

Kansas also pays a receiving school district in Kansas for every out state student that attends their school. Out of state students are counted for full credit the same as an instate student. What a deal!! They get paid full price for the students going out of state and pay out a maximum of 50% and then get paid full price for the out of state students crossing state borders to attend Kansas schools. Currently we receive no school fees or reimbursement of any kind from any of the four adjoining states for their students attending our schools.

Kansas has a responsibility to educate our children with the best education possible. Other states have that same responsibility. We do not have the responsibility to do both and take resources from our own children's education. All of the surrounding states have tuition requirements for our students going there. Oklahoma pays the school district for every student residing in the district including those attending out of state schools. Kansas gets none of those funds even though we have over 200 Oklahoma students attending our schools.

The number of students coming into our state every day varies each year but has consistently been over 600. A record of the last several years is attached for your information. There are presently 604 students from out of state. A conservative estimate of the cost to Kansas is 2.5 million dollars. I believe this number may be a higher number but regardless the total cost for every student will be between \$5 and \$10.

Since we have a responsibility for the education of all Kansas children, the bill allows full payment to the resident school districts and deletes the 50% cap on the amount that can be paid to the receiving district for students going out of state. The law presently allows school districts to negotiate reciprocal agreements.

The bill deletes the counting for credit for out of state students consistent with the practice of all of our neighboring states. It preserves the local authority of the local school district to manage their own affairs and to be able to negotiate their own agreements.

The bill has two simple provisions. It specifies that a student enrolled in any school district in this state who does not live in Kansas shall not be counted as a pupil for state financial aid. It also deletes the requirement of a cap of 50% on the amount that can be paid to an out of state receiving school district by an in state sending district.

In another year when we are searching for resources to educate our children, it is imperative that we close all of the loopholes and the unfair situations that take money away from the classrooms of our own children. I would appreciate your support on this needed change.

I would be happy to stand for questions.



**Kansas State Department of Education**

120 S.E. 10th Avenue  
Topeka, Kansas 66612-1182

February 4, 2004

TO: Rep. Bill Mason  
FROM: Dale M. Dennis, Deputy  
Commissioner of Education  
SUBJECT: Out-of-State Students

In response to your request, we are forwarding a table which provides the number of out-of-state students enrolled and attending school in Kansas school districts for the past six years.

Feel free to contact this office if you have questions.

h:leg:Mason—Out-of-State Students

**Out of State Students**

USD	District Name	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04
104	White Rock	52	44	41	37	31	31
105	Rawlins County						6
203	Piper-Kansas City				1		
204	Bonner Springs		3	2	2		4
207	Ft. Leavenworth	4	9	4	12	7	5
210	Hugoton Public Sch	2	2	1			
211	Norton Comm Sch	3					1
212	Northern Valley		1	2	2	1	2
217	Rolla	16	29	37	31	29	20
218	Elkhart	42	33	5	19	9	6
221	North Central	6	7	7	5	6	4
223	Barnes	2	2	2			
229	Blue Valley						2
230	Spring Hill	3		3	28		1
232	De Soto		1	1	5		1
233	Olathe	1					3
234	Fort Scott	14	14	11	11	10	10
237	Smith Center	6	3	5	2	2	2
242	Weskan	22	25	24	25	20	14
246	Northeast	4	5	5	5	7	7
249	Frontenac	21	21	13	19	16	19
250	Pittsburg	7	8	12	9	8	10
255	South Barber	10	27	14	13	9	7
285	Cedar Vale		1				
286	Chautauqua Co Comm	7	3	74	4	2	2
289	Wellsville			1	1	1	1
294	Oberlin	11	11	12	10	10	10
295	Prairie Heights			1			
297	St Francis Comm Sch	3	3		3	3	1
300	Comanche County	2	2	1	1	1	
317	Herndon	7	10	20	10	5	
318	Atwood	2	2	2			
324	Clifton-Clyde	1					
333	Concordia				1		
339	Jefferson Co North	2	2	2	2		
344	Pleasanton	10	9	15	18	13	13
346	Jayhawk		1	1	1	1	1
352	Goodland	2		1	4		
356	Conway Springs		1				
360	Caldwell	9	10	9	9	9	10
361	Anthony-Harper	16	9	7	8	5	2
362	Prairie View	1		6	19	21	15
364	Marysville			1	1	1	2
374	Sublette				1	1	
377	Atchison Co Comm Sch				1		
401	Chase-Raymond					1	
404	Riverton	37	40	36	45	42	39
406	Wathena	13	13	17	17	14	15
409	Atchison Public Sch	4	2	4	5	3	1
415	Hiawatha					1	
416	Louisburg	14	15	12	12	29	44
418	McPherson				1		
425	Highland	4	3	3	3	2	3
427	Republic County	12	15	17	14	13	11
429	Troy Public Schools	2	2	2	2	1	2

**Out of State Students**

USD	District Name	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04
433	Midway Schools	1					
436	Caney Valley	17	14	20	21	16	19
441	Sabetha	3	3	6	1		
445	Coffeyville	7	3	5	12	9	12
450	Shawnee Heights						1
453	Leavenworth						4
455	Hillcrest Rural Sch	1	4	3		3	4
457	Garden City	1	2	2			
465	Winfield			1	1	2	
469	Lansing					1	
470	Arkansas City	16	21	16	7	5	8
471	Dexter	2	2	2			1
480	Liberal	7	16	15	17	13	16
483	Kismet-Plains			2			
486	Elwood		32	43	60	78	72
488	Axtell	4	5	6	6	11	10
491	Eudora				2	2	1
493	Columbus	3	7	5	5	8	15
495	Ft. Larned		1				
497	Lawrence				1	1	
499	Galena	26	34	34	42	46	47
500	Kansas City	1		1	2		1
505	Cheptopa	14	15	12	12	12	11
506	Labette County	22	25	21	20	20	18
508	Baxter Springs	28	31	31	26	29	22
509	South Haven	24	21	20	21	24	17
512	Shawnee Mission Pub		3	3			
<b>Total:</b>		<b>551</b>	<b>627</b>	<b>681</b>	<b>675</b>	<b>614</b>	<b>606</b>

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS

1420 SW Arrowhead Road • Topeka, Kansas 66604-4024  
785-273-3600

Testimony on **HB 2631 (Funding for non-resident pupils)**  
before the  
**House Committee on Education**

by

**Mark Tallman, Assistant Executive Director/Advocacy**  
Kansas Association of School Boards

February 10, 2004

Chairman Decker and Members of the Committee:

Thank you for the opportunity to testify on **HB 2631**. As we understand this bill, it would eliminate students who are not Kansas residents from being counted in district enrollments, for general fund budget authority purposes. We appear in opposition to this bill.

Believing that this issue would be addressed during this session, the KASB Legislative Committee developed a policy on the enrollment of and funding for non-resident students. Based on that committee's recommendation, our Delegate Assembly adopted by voice vote the following statement:

**Enrollment of Non-Resident Students**

“KASB believes that the decision to enroll students who are not residents of a school district should be made by the board of education of that district. If non-resident students are enrolled, they should be counted for funding purposes as if they were residents of the district. These provisions should apply to students who are not residents of Kansas.”

Our members took the position that, in most cases, non-resident students who attend Kansas schools see themselves as part of a Kansas community. They usually work, shop, go to church and participate in the social life of the Kansas school district. In many cases, they are Kansas taxpayers; owning property, earning an income and making purchases.

While the overwhelming majority of our members do not enroll non-residents, and might benefit financially if state aid was no longer provided for these students, the benefit to most district would be very slight, while the lost funding for the affected districts would be severe. Most of our member did not want to make that trade-off.

Thank you for your consideration.

**House Education Committee**

Date: 2/10/04

Attachment # 3

**Testimony Regarding House Bill 2631**  
**Presented by Dave DuBois, Superintendent of Schools**  
**Weskan USD #242**  
**February 10, 2004**

I am opposed to House Bill 2631 for the following reasons:

1. This proposed legislation eliminates all funding for out of state students, which will in many cases cause a devastating funding cut to a disproportionately small group of Kansas schools. The budget cuts that this legislation would cause would significantly hamper and, in my opinion, even close some school districts, which in turn will create serious damage to an already struggling local economy. (Page 2, Lines 17-20)
2. This proposed legislation is based on the faulty premise that neighboring out of state school districts will enter into agreements with individual Kansas school districts to provide compensation for us to educate students with out of state addresses who are already attending Kansas schools, and, in some cases, have attended our Kansas schools for generations. (Page 5, Lines 1-33)
3. This legislation would appear to make an assumption that families from out of state make no contribution to our state in the form of property taxes, income taxes, sales taxes, excise taxes, motor fuel taxes, and other state revenues, and therefore, under this proposed legislation, have no right to have their children be counted for state financial aid for public education.

**Out of State Demographics-Weskan Students**

130 FTE Students                      Out of State Students 14 (10.8%)

Of these 14 out of state students

7 students have parents who are employed in our school district

4 students are from 2<sup>nd</sup> generation families in Weskan

1 student's family owns agricultural property in Kansas

2 students have no other 'connection' to our community

In addition to this, all of these students reside within 9 miles of Weskan and, in some cases, up to 25 miles from the closest Colorado school.

House Education Committee

Date: 2/10/04

Attachment # 4



TESTIMONY: PROVIDED FEBRUARY 10, 2004

REFERENCE: HB 2631

PRESENTER: RAYMOND DYKENS, SUPERINTENDENT  
U.S.D. NO. 499  
GALENA, KS 66739

PROFILE:

Galena, Kansas is a small community located in Cherokee County in the extreme southeast corner of Kansas. The school district has a valuation (tax base) of slightly over \$12,000,000. One mill in Galena generates about \$12,000. The General Fund assessed valuation is right at 9.2 million. U.S.D. 499 ranks second from the bottom in the state, based on assessed valuation per pupil at \$15,389. The district serves approximately 792 students in K-12. 48 of this number are students that reside out-of-state. Please consider my factual concerns relative to not only these 48 kids but to our whole student population and community of Galena.

GRADE/STUDENT DISTRIBUTION OUT-OF-STATE STUDENTS:

	<u>00-01</u>	<u>01-02</u>	<u>02-03</u>	<u>03-04</u>
Kindergarten	2/MO	5/MO	2/MO	5/MO 1/OK
First	3/MO	3/MO	3/MO	3/MO
Second	1/MO	4/MO	2/MO	3/MO
Third	2/MO	3/MO	3/MO	4/MO
Fourth	2/MO	4/MO	3/MO	2/MO
Fifth	2/MO	4/MO	3/MO	4/MO
Sixth	2/MO	6/MO	4/MO	1/MO
Seventh	2/MO	3/MO	6/MO	5/MO
Eighth	3/MO	1/MO	4/MO	7/MO
Ninth	1/MO 1/OK	2/MO	2/MO	5/MO
Tenth	1/MO	1/MO 1/OK	2/MO	2/MO
Eleventh	2/MO	4/MO	4/MO 1/OK	3/MO
Twelfth	6/MO	4/MO	7/MO	2/MO 1/OK
TOTAL	29/MO 1/OK	44/MO 1/OK	45/MO 1/OK	46/MO 2/OK

FINANCIAL FACTOR'S COMPARISONS:

	<u>STATE MEDIAN LOB</u>	<u>STATE HIGHEST LOB</u>	<u>GALENA LOB</u>
LOB	12.74 MILLS	42 MILLS	16.979 MILLS

House Education Committee  
Date: 2/10/04  
Attachment # 5-1

AMOUNT OF GENERAL  
FUND DEPENDENT  
ON STATE AIDE

STATE AVE.  
70%

GALENA  
95.3%

MILL LEVY

49.252

A loss in the General Fund Revenue of approximately \$261,936.

**CONSIDERATIONS:**

1. **How about promoting Kansas instead of building walls around our borders? Many of our kids stay with us, go to college in Kansas, move to Kansas, work in Kansas and are still living in Kansas as a result of being allowed to attend our schools.**
2. **Our options to recover this money are non-existent.**
  - A. **Go to tax payers – our mill levy is already at 49.252 and we are maxed out on the LOB.**
  - B. **Since these students are well distributed across the grades, it makes cuts impossible. They do not impact our school on the negative side. They do impact our school on the positive side and the money they generate is spent on all Galena kids, not just the out-of-state kids. It is money at Galena we cannot recover.**
3. **There are over 600 out-of-state students attending Kansas's schools. Of that number, about 75 are in Cherokee County and 45 of those are in Galena. Divide the \$2.3 million by 600 and it amount to about \$3,833.33 per student. Not much considering the negative impact on our border schools.**

**CONCLUSION:**

We understand that to save 2.3 Million across the state presently being spent to educate out-of-state students is a perception many consider as valid and a way to save money. We hope we have shown you that most of Galena's share of that money is being spent on all Galena kids and that we have no viable way to recover it. We believe this is one of those times to just do the right thing for kids and not do what may seem on the surface to be just. On behalf of Galena Unified School District No. 499, we thank you for this opportunity to share our concerns and trust you will agree that to pass their bill would be a major setback not just for the few out-of-state students we highlight, but in fact for all Kansas kids.

Testimony on Proposed Legislation Regarding Funding of  
Out-of State Students

By Dennis Burke, Superintendent  
USD #508, Baxter Springs

Baxter Unified School District #508 provides educational services for approximately 840 students in the extreme southeast corner of the state. The physical size of the district is 26 square miles. We have enrolled in our district 22 students whose official residence is Oklahoma. It is because of these students I respectfully address this committee.

In these difficult fiscal times it is easy to understand the desire of the state legislature to reduce educational costs without sacrificing the quality of the education. It is also easy to see why at first glance educating students who reside in another state seems overly generous and a gesture we can no longer afford.

Baxter Springs School District currently has 22 out-of-state students enrolled as of September 20<sup>th</sup>. Of these students no more than 3 are in any particular grade. They are spread out over the entire system from kindergarten through the twelfth grade.

If state aid were to be withdrawn from these 22 students the real impact would be felt on the other 820 students who attend school here. These 22 students represent approximately \$116,000 to the Baxter Springs School System. As you are all too aware, a cut of this magnitude would impact the entire student population, not just that of the 22 students.

Because many of these students have already attended school here it is unlikely they would be asked not to return. It is still unlikely that tuition would be charged to help offset the loss of revenue. What would likely happen would be instructional cutbacks that would negatively impact the district as a whole and have little if any impact on the remaining Kansas students.

House Education Committee

Date: 2/10/04

Attachment # 6-1

Several of these students have parents who work in Baxter Springs. They spend their money in our community; they support our civic endeavors and in general contribute to the betterment of the school system.

It is quite conceivable that upon graduation they may choose to live in Kansas as former out-of-state students have prior to them. Several of these parents work in Kansas and therefore pay income taxes to the state (7 of the 22).

One solution to this potential funding cutback would be the elimination of approximately 3 certified positions. This significantly increases the size of classes or eliminates course offerings in the upper grades.

In the end the students of Kansas would see little if any real benefit when this potential savings is applied to the funding formula. What would occur, however, are fairly drastic cuts to a relatively few districts with a large free and reduced meal population (47-55%).

Please consider the impact this bill would have on the school children of Kansas. If not for the Kansas students who happen to reside across the road in Oklahoma then for the Kansas students who remain with diminished resources. Thank you for your consideration.

# ELWOOD UNIFIED SCHOOLS

**District #486**

203-204 N. 12th Street

P.O. Box 368

Elwood, Ks. 66024

Phone 913-365-6735 Fax 913-365-3503

**Michael Newman**  
Superintendent

**James A. Leatherman**  
Principal

Madame Chairman and House Committee Members:

The Elwood USD 486 respectfully stands in opposition to HB 2631. The Elwood school district is in opposition due to some very unique circumstances. Elwood is situated adjacent to the Missouri River, right across from St. Joseph, Missouri. The flood of 1993 devastated our town and school. The Elwood school buildings had over 2 feet of water in them. We were out of our school building for 5 months while clean up and necessary repairs were being made. Many of our homes were lost and those that could be repaired took a long time to clean up, sanitize and rebuild. In visiting with one of our board members she stated that their family was out of their home for over two years. The homes are being replaced and the town is regaining many of the businesses and community members that were lost. The process is still far from complete.

At the present time, Elwood USD has 72 out-of-state students enrolled for 2003-2004 school year. We feel we have done a very good job of accurately reporting these students. This may not be the case for all school districts in Kansas. The vast majority of our out-of-state students have some sort of ties with our community. Many of these out-of state students walk to a relative's house after school. Some have parents that resided in Elwood before the flood. Others have grandparents that currently live in Elwood. Still others have other family members that presently live in Elwood. There are a few that also work in Doniphan County.

In our area we also know that there are some of our patrons sending their children to St. Joseph to go to school. This is a number that we have not tried to accurately count, but we do know they exist.

The issue of accurate reporting and verification of residency needs to be addressed. Our board examines out-of state requests, in terms of why the request is being made, whom the family is that is making the request, and where they presently reside. Our district is small enough that we can do this with a large degree of certainty. Many of the large districts in the state can't guarantee this same level of accuracy. It would seem quite unfair to penalize our district for accuracy, while rewarding those districts for their inaccuracies.

**House Education Committee**

Date: 2/10/04

Attachment # 7-1

**EDUCATION IS A LIFETIME PROCESS**

The loss of funding for all of our out-of-state students would devastate the Elwood USD 486 School District. The district has already made significant cuts in our staff and programs over the last two years and have very few areas left if any we could additionally cut. We as a district want to continue to offer our students a first class education. Your consideration of our district and its unique circumstances is greatly appreciated.

Thank you,



Michael Newman  
Superintendent of Schools  
Elwood USD 486

South Barber USD 255  
512 Main  
Kiowa, KS 67070

Bob Hightree, Superintendent

February 6, 2004

To: House Education Committee:

Re: Out-of-State Students Attending South Barber USD 255 in Kiowa, Ks.

Dear House Education Committee Members:

I have collected the following information relative to the students living in the state of Oklahoma and going to school in South Barber USD 255 in Kiowa, Kansas. The South Barber school district runs the entire length of the south border of Barber County Kansas and three miles into the west edge of Harper County along the Oklahoma/Kansas state line.

Every single one of the Oklahoma students attending school in South Barber USD 255 comes from a family paying taxes and/or owning property in Kansas. In two instances this is ownership of property of considerable value. In one case the entire family income is from Kansas where all their income taxes are paid. In all cases the families and past generations (at least two generations) are all from this area.

This school year we have seven (7) students attending school here but living in Oklahoma. They are:

Morgan Myers-South Barber Elementary student. Her mother is a CPA and has been working as the business manager for the Kiowa, Ks. Hospital. She is currently the interim Kiowa Hospital administrator. Her father is a rancher. Their ranch is in Oklahoma but is on the state line bordering the South Barber school district. Their home is on the ranch and is located 15 miles from Kiowa, Ks. and 25 miles from Alva, Ok., which is the school district they live in.

Jessica and David Daughettee-South Barber Elementary students. Their mother is the school librarian for South Barber K-8 and the South Barber High School. Their father is an independent trucker and owns his own truck. They live 8 miles south of Kiowa in the Burlington, Ok. District.

Ali Thurman-South Barber Elementary student. Parents own two very successful businesses in Kiowa, Ks. The father is a Custom Harvester and owns all of his own equipment. They reside three miles south of Kiowa, Ks. in the Burlington, Ok. District.

Kyle Jacobs-South Barber Elementary student. Parents are both teachers in the South Barber K-8 building. The family resides in the Alva, Ok. District approximately 11 miles from Kiowa, Ks. and 16 miles from Alva, Ok. One set of grandparents live in Kiowa, Ks.

House Education Committee

Date: 2/10/04

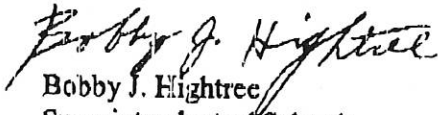
Attachment # 8

Katie Stemberger-South Barber High School student. Parents own a business in Kiowa, Ks. which is run by the mother. They are also ranchers and own land in Kansas and Oklahoma. They live approximately a mile and one-half across the Oklahoma line in the Alva, Ok. District. This is approximately 9 miles from Kiowa, Ks. and 18 miles from Alva, Ok.

Jimmy Morford-South Barber High School student. Mother is the South Barber High School English teacher. Father is a retired military person and is currently managing the Burlington, Ok. Farmer's Coop. They live approximately half way between Burlington, Ok. and Kiowa, Ks. in the Amorita, Ok. school district.

I hope this information is helpful. Sorry I couldn't be there in person to provide this.

Sincerely,



Bobby J. Hightree  
Superintendent of Schools  
South Barber USD 255  
Kiowa, Kansas



JEFF BARKLEY, President  
 JACK DAY, Vice-President  
 SCOTT H. NELSON  
 JACK GARNER  
 CONNIE SHAW  
 JERRY WILKINS  
 CHARLES ROGERS  
 SUSIE NOWLIN, Clerk  
 ROYCE DONALDSON, Treasurer

NCA and QPA ACCREDITED  
 DAVID L. WALTERS, Superintendent  
 P.O. Box 290  
 6860 SE Hwy. 66  
 Riverton, Kansas 66770  
 Phone: (620) 848-3386  
 Fax: (620) 848-9853

TODD D. BERRY, Principal  
 Riverton High School  
 CORY WHITE, Assistant Principal  
 Riverton High School  
 BECKY MURRAY, PRINCIPAL  
 Riverton Middle School  
 KEITH WILSON, Principal  
 Riverton Elementary School

February 10, 2004

To Whom It May Concern:

I had not intended to attend today's committee meeting. I was informed yesterday midday about this meeting. I am David L. Walters, first year Superintendent at U.S.D. 404 Riverton Schools, Riverton, Kansas.


There is one point in our district where there is an old monument. If you drive around it, you start in Kansas, drive into Oklahoma, then into Missouri and back into Kansas. You can see we are certainly located in the southeast corner of Kansas.

Earlier this fall, I asked our secretaries to compile a list of out-of-state students attending our district. Our enrollment is 848. On the day I asked for this report we had 34 out of state students attending school in our district. Several of them attend because, if the boundaries were to be redrawn with Interstate 44 being the southern boundary, they would be Kansas residents. They're simply here in our district because of proximity, close to our bus routes and a desire to attend our school. A second large group of the 34 are here because their parents, grandparents or some other relative works for our school as a teacher or support staff member, or another local business. The remainder are here through choice.

Although I am a first year Superintendent in this district, I can find no evidence that students are in any way recruited or encouraged to attend our schools. They come here simply because of choice. Their parents work in the district, they have a relative that provides daycare for younger siblings, etc. Whatever the reason, they have freely chosen to be a part of our community. Any small community welcomes any growth they can have. These people attending our school are simply a way for us to keep our small community and school from being in crisis due to an even more severe decline in enrollment.

I would ask the committee to look favorably on rules and regulations that will allow these students who are receiving a quality education in our school to continue to do so, and not penalize them, their families or our schools. Thank you.

Sincerely,



David L. Walters

House Education Committee

An Equal Employment / Educational Opportunity Agency

Date: 2/10/04  
 Attachment # 9

February 9, 2004

*Mac Plummer*

Madam Chairperson Kathy Decker and Members of the House Education Committee:

First, I apologize for not being present. I am unable to attend because of our monthly board of education meeting on Monday, February 9, 2004, and also due to the death of one of our high school students in an accident. Thank you for allowing me to testify in opposition to HB 2631. As superintendent, I am representing USD 217 - Rolla Schools and our Community. We are a small 1A school district located in Morton County in extreme southwest Kansas. Our school is eight miles from the Oklahoma state line and has an area of 252 square miles. Since the south edge of our school district is the Oklahoma line, we do have students from Oklahoma attending our school. The Oklahoma students elect to attend our school for several reasons. We are the nearest attendance center, averaging 8 to 13 miles distance for these students. In comparison, Guymon and Hooker, Oklahoma are approximately 27 miles. Some of our Oklahoma students are third and even fourth generation Rolla students. Many of these families in question own land and mineral rights on both sides of the state line. Many families farm and pay taxes in both states.

Some of the parents of the Oklahoma students work in our community and pay Kansas income tax. They shop locally purchasing fuel, fertilizer, and groceries. They attend and support local churches. They are an integral part of our community and are very supportive of our school. Some of our students live at CRI Feeders located 13 miles from Rolla. The feedlot buys

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grain from Kansas farmers and uses Kansas truckers. Other parents work for Seaboard Farms, a multi-state hog farming operation. Seaboard Farms has an office building and repair shop located within Rolla city limits. They have many hog farms located in our district and the panhandle of Oklahoma. Seaboard Farms buys grain from area farmers. They support our school and community in many ways. I want to reiterate that these families in question are not only valuable members of our school but also of our community. They make substantial contributions to the quality of our school and community.

The out-of-state students are allowed to ride the bus and are picked up at the state line during our normal route. We do not travel into Oklahoma to transport any students. We do **not** recruit these students in any way.

The number one reason for attending Rolla Schools is that we have a quality school system. We believe all children have the right to an excellent public education. The students are our number one priority. We are very proud of being eight times state champion in 1A Scholars' Bowl. Our team has qualified for state competition again this year. Several Oklahoma students have been valuable members of our past and present Rolla Scholars' Bowl teams.

In April, 2002, our patrons of USD 217 - Rolla Schools passed a four-million-dollar bond issue to build a ten-room K-5 building with an office complex, a 7-12 science room, and a new gym. The bond issue passed by almost a 3-to-1 margin. Our community values education, children, and their futures. Voters were aware of our out-of-state students and have welcomed them into our school system as valuable members of our school,

regardless of their housing location.

Another point that I would like to make is that an out-of-state students are **not** any different than an out-of-district students when it comes to the 20 mill local tax effort. The money comes from our district's taxpayers and not from the state. The difference is with the general state aid monies. Please consider the economic impact made by the parents and companies of out-of-state students.

Attached is a spreadsheet with information showing out-of-state students, general fund budget, FTE enrollment used for budgeting purposes, general fund budget per pupil, total weighted enrollment, excess local effort returned to state, and state aid entitlements. I was unable to find the number of out-of-state students for 1992-94. The past twelve-year history shows that we started receiving state aid in 2000-2001. Including this year's estimate of state aid, our total the last four years has been \$1,357,927. Now look at the previous eight years when USD 217 - Rolla Schools returned excess local effort to the state. The annual amounts range from \$1,843,504 to \$37,850, with a total for eight years of **\$9,216,419**. Currently, the total is a little less than 7-to-1 ratio of excess local effort to state aid received. If we had not counted out-of-state students for 2003-2004, the projected loss of general fund budget would be \$169,059. That loss would have a devastating effect on our budget.

**We believe very strongly that the law should stay as it is currently written. Thank you for listening to our opposition to HB 2631.**

Mac Plummer

Superintendent  
USD 217 - Rolla Schools

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# USD 217- Rolla Schools

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YEAR	OUT of STATE STUDENTS	GENERAL FUND BUDGET	FTE ENROLLMENT for BUDGET	Budget Per-STUDENT	TOTAL WEIGHTED ENROLLMENT	EXCESS LOCAL EFFORT RETURNED TO STATE	STATE AID ENTITLEMENT
92-93	?	\$ 1,461,240.00	207.3	\$ 7,048.91	405.9	\$ 812,939.00	\$ 0.00
93-94	?	\$ 1,406,880.00	200.6	\$ 7,013.36	290.8	\$ 1,088,862.00	
94-95	23	\$ 1,395,000.00	197.5	\$ 7,063.29	387.5	\$ 1,765,861.00	
95-96	25	\$ 1,442,423.00	195.3	\$ 7,385.68	397.8	\$ 1,843,504.00	
96-97	16	\$ 1,368,730.00	179.4	\$ 7,629.49	375.2	\$ 1,568,886.00	
97-98	12	\$ 1,470,569.00	194.0	\$ 7,580.25	400.7	\$ 1,341,998.00	
98-99	16	\$ 1,550,868.00	206.3	\$ 7,517.54	416.9	\$ 756,519.00	
99-00	29	\$ 1,642,589.00	223.3	\$ 7,355.97	435.7	\$ 37,850.00	
00-01	37	\$ 1,725,112.00	228.0	\$ 7,566.28	451.6		\$ 308,278.00
01-02	31	\$ 1,788,714.00	239.5	\$ 7,468.53	462.4		\$ 384,999.00
02-03	29	\$ 1,897,153.00	239.5	\$ 7,921.31	494.8		\$ 291,778.00
03-04	20	\$ 2,003,352.00	237.0	\$ 8,452.96	518.6		<i>estimated</i> \$ 372,872.00
						<b>\$ 9,216,419.00</b>	<b>*****</b>

Projected loss of general fund budget if we would have not counted out-of-state students for 03-04  
 \$ 169,059.00