

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 9:00 a.m. on March 17, 2009, in Room 711 of the Docking State Office Building.

All members were present except  
Representative Valdenia Winn, excused  
Representative Bob Brookens, excused  
Representative Bill Otto, excused

Committee staff present:  
Sharon Wenger, Kansas Legislative Research Department  
Theresa Kiernan, Office of the Revisor of Statutes  
Janet Henning, Committee Assistant

Conferees appearing before the Committee:  
John Torline, Central Kansas Community Foundation  
Tom Krebs, Governmental Relations specialist, Kansas Association of School Boards  
Dr. John Morton, Superintendent, Newton Public Schools USD #373 (written testimony)  
Becky Goss, Chairperson Kansas Association of Community Foundations (written testimony)  
Val DeFever, Schools for Quality Education (written testimony)

Chairman Aurand told Committee members for the purpose of chairing the House Education Committee on March 17, 2009, he would appoint Representative Don Hill as the Chairperson.

**SB 175 - School districts; transfer of moneys to community foundations.**

John Torline, Central Kansas Community Foundation, spoke to Committee members as a proponent of **SB 175**. Mr. Torline told Committee members the bill would allow local school districts the option of placing restricted funds with community foundations, provided the intent of the original donors continues to be honored. (Attachment 1 and 2)

Tom Krebs, Governmental Relations specialist, Kansas Association of School Boards, spoke to Committee members as a proponent of **SB 175**. Mr. Krebs told Committee members the bill would provide another way for local schools to cooperate with other community organizations in a mutually beneficial manner. (Attachment 3)

Dr. John Morton, Superintendent, Newton Public Schools USD #373, provided written testimony in support of **SB 175**. (Attachment 4)

Becky Goss, Chairperson Kansas Association of Community Foundations, provided written testimony in support of **SB 175**. (Attachment 5)

There were no opponents listed for **SB 175**.

A question and answer session followed the presentation.

Acting Chairperson Hill closed the hearing on **SB 175**.

Acting Chairperson Hill asked Committee members for discussion on **SB 175**.

Representative Crow moved that SB 175 be passed out favorably for passage and because the bill is of a non-controversial nature, requested SB 175 be placed on the Consent Calendar. The motion was seconded by Representative Roth. The motion carried.

**SB 41 - School districts; repeal of archaic statutes relating to transfers of funds and property; disorganized districts.**

Acting Chairperson Hill asked Committee members for discussion on **SB 41**.

Representative Aurand gave an explanation of the balloon amendment for **SB 41**.

Written testimony was received from Val DeFever, Schools for Quality Education, in support of

CONTINUATION SHEET

Minutes of the House Education Committee at 9:00 a.m. on March 17, 2009, in Room 711 of the Docking State Office Building.

the amendment for **SB 41**. (Attachment 6)

Representative Aurand moved to amend SB 41 by adding the language of the balloon amendment. The motion was seconded by Representative Spalding. The motion carried. Representative Phelps requested his "yes" vote be recorded.

Representative Aurand moved that SB 41 be passed out favorably for passage as amended. The motion was seconded by Representative Neufeld. The motion carried. Representative Crow requested her "yes" vote be recorded. It was the consensus of the Committee members present to also have their "yes" vote recorded. Representative Aurand will carry the bill on the House floor.

**HCR 5015 - Dyslexia and other reading problems; the state board of education to take certain actions.**

Chairman Aurand told Committee members that he would determine how best to get **HCR 5015** acted upon by the House so that it could move to the Senate in a timely manner.

Chairman Aurand announced to Committee members this would be the last House Education meeting for this session and thanked the staff members as well as Committee members for their time and work.

The meeting was adjourned at 9:40 a.m. It is anticipated there will not be any further meetings of the House Education Committee for this legislative session.





Central Kansas  
Community Foundation

**Sandra Fruit, Executive Director**  
PO Box 548, Newton KS 67114 • 316-283-5474 • Fax 316-283-5489

March 17, 2009

Dear House Education Committee Member:

I am writing to request favorable action by the House Education Committee on Senate Bill 175. This bill would allow local school districts the option of placing restricted funds with community foundations, provided the intent of the original donors continues to be honored.

I am submitting this request with a certain sense of urgency. Central Kansas Community Foundation has access to 50% matching funds for the creation or enhancement of local scholarships. There are one or more scholarships held by USD # 373 that could benefit from this match. It is unlikely that these matching funds will be available a year from now.

I call your attention to the facts that this bill passed the State Senate by a 40-0 vote, it has received a favorable fiscal note from the State Budget Director, it has been endorsed by Central Kansas Community Foundation, USD # 373, the Kansas Association of Community Foundations, and the Kansas Association of School Boards. There are no known individuals or groups that oppose this legislation.

I earnestly request that you take action to move this bill forward. I am available to answer any questions you might have. Thank you for your consideration.

Sincerely,

John Torline  
Associate Director

Cc: Senator Carolyn McGinn

House Education Committee  
Date 3-17-09  
Attachment 1





Central Kansas  
Community Foundation

*John Torline, Associate Director*  
PO Box 548, Newton KS 67114 • 316-283-5474 • Fax 316-283-5489

February 10, 2009

To Whom It May Concern:

My name is John Torline. I am the City Administrator of North Newton. I am also the Associate Director of Central Kansas Community Foundation. I come from a large family. I have six sisters. About 20 years ago, my sisters and I had run out of ideas on what to get our parents for Christmas. We had run through the various appliances, tools, etc. One of my sisters came upon the idea of starting a scholarship in my parent's name. So we did. It turned out to be the most cherished gift we had ever given them. Every year our parents contributed to the scholarship, and every year the seven of us knew what the parents wanted. It took the worry out of shopping. Over the years the scholarship fund at USD 373 has grown to a tidy sum.

My association with Central Kansas Community Foundation began about 10 years ago. One of the then and current programs of the Foundation was to provide 50% matching funds to create and enhance scholarships and endowments. With my sisters' and surviving mother's blessing, I approached the school district about placing the funds with the Foundation thereby increasing the scholarship award potential overnight. The school district would continue to award scholarships as it had done. The awards would just be greater. The district was sympathetic, but, I was told by legal counsel, school districts do not have the statutory authority that would enable my request. I am here today to ask that you correct this matter.

I understand and recognize that my story is my story and that legislation should be for the benefit of all, not a single family. However I think my story is an example of opportunities that are available to community foundations and that school districts are neither designed nor capable of pursuing.

I ask for your support of Senate Bill 175, and I will do my best to respond to any questions you might have.

Sincerely,

John Torline  
Associate Director

House Education Committee  
Date 3-17-09  
Attachment 2

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS

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

Testimony before the  
**House Education Committee**  
on  
**SB 175**  
by

**Tom Krebs, Governmental Relations Specialist**  
Kansas Association of School Boards

**March 17, 2009**

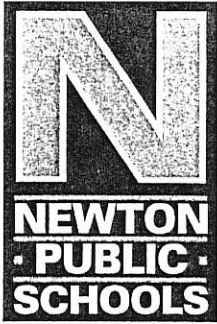
Mr. Chair, Members of the Committee:

Thank you for the opportunity to comment on **SB 175**. We appear today a proponent of this bill because it would give local schools more flexibility to manage funds provided to the district as gifts, donations and bequests.

The bill would allow districts, if they so choose, to place these funds with community foundations, as narrowly described in the bill, for investment and management. We believe this would provide another way for local schools to cooperate with other community organizations in a mutually beneficial manner.

Thank you for your consideration. I would be happy to respond to questions.

House Education Committee  
Date 3-17-09  
Attachment 3



# Newton USD 373

McKinley Administrative Center  
308 East 1st Street  
Newton, KS 67114-3846

316.284.6200 • FAX 316.284.6207  
www.newton.k12.ks.us

February 10, 2009

To whom it may concern:

I am writing this letter in support of Senate Bill 175, which would allow school districts to move funds to community foundations. This is an idea that just makes sense to me and others who work with our special scholarship and gift accounts in school districts. It would allow us to move those funds, with all of their restrictions intact, to a community foundation, such as the Central Kansas Community Foundation (CKCF) which currently houses our USD 373 Endowment Funds.

We have considered this idea at our endowment committee meetings and feel it would ultimately prove beneficial for all involved. It would allow us to place all such funds (none of which have to do with our school district budgets) into a community foundation fund and would ultimately allow them to be utilized in a collective way that would benefit all funds.

Please give this bill every consideration. It is one of those common sense things that should have been accomplished quite some time ago. Thanks to Senator McGinn for introducing this bill and to the committee for hearing its merits.

I would be happy to provide any additional information or testimony if needed.

Sincerely,  
  
Dr. John R. Morton, Superintendent  
Newton Public Schools USD 373

House Education Committee  
Date 3-17-09  
Attachment 4



February 9, 2009

To Whom It May Concern:

School districts today are weathering all sorts of challenges as they struggle to deal with tightening budgets and proposed cuts in state funding. Building public school endowments may be one part of the solution.

Community foundations are natural partners for school districts who want to seek private support and build long-term endowments. Local education funds and affiliated foundations may support such things as scholarships, technology advancements and classroom enhancements that may well go beyond today's strained school budgets.

Those districts who have historical gifts and donations currently available to them may find it desirable to transfer these funds into local community foundations in order to pool their charitable resources, motivate additional giving, and enhance their ability to grow their endowments. Under current law, this transfer of monies into community foundations is not allowed.

Senate Bill 175 simply gives the school districts the option to transfer existing donated gifts and contributions into restricted funds at their local community foundations. These funds remain subject to any restrictions that were originally imposed by the donors and may only be used for the benefit of the school district.

The Kansas Association of Community Foundations lends its support to Senate Bill 175 and member foundations look forward to the opportunity to assist school districts in their efforts to build endowments for the future.

Sincerely,

Becky Goss  
KACF Chairperson

House Education Committee  
Date 3-17-09  
Attachment 5



Schools for Quality Education  
House Substitute for SB41  
March 17, 2009  
Val DeFever

Chairman Aurand and House Education Members,

Thank you for allowing me to speak to you today on House Substitute for SB41. Schools for Quality Education strongly supports local control in all matters, but particularly when it involves consolidation issues. This bill is a step toward more flexibility in helping our rural districts address the needs of their shrinking student population.

By allowing a district to dissolve and go with several districts, bringing incentive funding to all the receiving districts, the legislature would potentially be helping them find more receptive partners in the dissolution/consolidation process. There have been times in the past that a larger district did not see sufficient advantages in accepting the smaller district.

Also in the past, what appeared to be a good consolidation fix, was found to be less effective than policymakers had hoped. SQE would like to have the opportunity to more fully poll member districts of fewer than 150 students to determine any glitches that might need to be address before the the bill will help districts wanting to move in this direction.

House Education Committee  
Date 3-17-09  
Attachment 6