

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:30 p.m. on March 2, 2009, in Room 446-N of the Capitol.

All members were present.

Committee staff present:

Kristen Kellems, Office of the Revisor of Statutes  
Theresa Kiernan, Office of the Revisor of Statutes  
Matt Sterling, Office of the Revisor of Statutes  
Martha Dorsey, Kansas Legislative Research Department  
Sharon Wenger, Kansas Legislative Research Department  
Dorothy Gerhardt, Committee Assistant

Conferees appearing before the committee:

Theresa Kiernan, Senior Assistant Revisor of Statutes  
Senator Roger Reitz  
Tom Krebs, Governmental Relations Specialist, KASB  
Robert Shannon, Superintendent, Manhattan-Ogden USD #383  
Peter J. Paukstelis, President, Manhattan-Ogden USD #383 Board of Education  
Ronald P. Walker, Supt., Geary County USD #475  
Representative Virgil Peck, Jr.  
Lauren Palmer, Asst. City Manager, City of Manhattan, KS (written only)

Others attending:

See attached list.

Hearing on **HB 2002 - School finance; military children, determination of enrollment**

Theresa Kiernan, Senior Assistant Revisor of Statutes, presented a summary of the proposed legislation. This bill was introduced by the LEPC. It would allow a school district to determine the enrollment of the district on February 20 if the number of new military pupils meets the threshold established by the bill. The definition of a "new" pupil is one who is enrolled on February 20, but was not enrolled on the preceding September 20. If the number of "new" pupils is at least 25, or 1%, of the total enrollment of the district as determined on September 20, the number of new military pupils is added to the enrollment of the district. The state board would be directed to recompute the adjusted enrollment of the district as well as the general fund budget of the school district based on the enrollment as determined under this section. The bill amends a statute that was enacted in 2005, extended for two additional years in 2007 and would be make it effective until the end of school year 2012-2013. As originally introduced, the bill would require a net counting of the new military pupils. The House Committee on Education amended the bill to allow the addition of new military pupils without netting out any pupils who may have left the district after September 20. The House Committee amendment codifies the existing method of counting new military pupils.

Senator Roger Reitz, ([Attachment 1](#)); Tom Krebs, Governmental Relations Specialist, KASB ([Attachment 2](#)); Robert Shannon, Superintendent, Manhattan-Ogden USD #383 ([Attachment 3](#)); Peter J. Paukstelis, President, Manhattan-Ogden USD #383 Board of Education ([Attachment 4](#)); Ronald P. Walker, Supt., Geary County USD #475 ([Attachment 5](#)); and Lauren Palmer, Asst. City Manager, City of Manhattan, KS (written only) ([Attachment 6](#)) all presented testimony in support of **HB 2002**.

Representative Virgil Peck, Jr. ([Attachment 7](#)) presented testimony in support of the bill with the exception that he feels that it should be a net increase in the number of students. He feels it would be unfair to other school districts if funding is provided to those districts educating military students for students they no longer have in the district at the second count date.

Other discussion stressed the importance of education to military families and the state being viewed as "military friendly" when decisions regarding base closings surfaced.

The hearing on **HB 2002** was closed.

CONTINUATION SHEET

Minutes of the Senate Education Committee at 1:30 p.m. on March 2, 2009, in Room 446-N of the Capitol.

The next meeting is scheduled for March 3, 2009.

The meeting was adjourned at 2:25 p.m.

# SENATE EDUCATION COMMITTEE GUEST LIST

DATE: March 2, 2009

NAME	REPRESENTING
Rep. Virgil Peck Jr.	
Tom Kuhn	KASB
Scott Frank	LPA
TERRY FARMER	KNEA
John Armbrust	Gov's Military Council
Bob Shannon	USD 383
Pete Paukstels	USD 383
Sue Storm	SBOE

**ROGER REITZ**

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STATE OF KANSAS



TOPEKA  
SENATE

COMMITTEE ASSIGNMENTS

CHAIR: LOCAL GOVERNMENT  
VICE CHAIR: FEDERAL AND STATE AFFAIRS  
MEMBER: COMMERCE  
UTILITIES  
ETHICS & ELECTIONS

Thank you for the opportunity to address HB 2002 relating to the second count of student enrollees in districts impacted by military families who are frequently in a state of transition. It encompasses school years 2009 through 2013. As you know, I represent Manhattan, Junction City, and several other towns in the adjoining area. Over the past 4 years the troops assigned to Ft. Riley have grown from 9500 to a current 15,000, and student enrollment at USD 475 has grown from 5700 to 7000 students. USD 475 has added 70 new teachers over this 4 year period of time. These students need appraisal and require different services. Special ed students are proportionably higher in number among the military families. Students coming in don't have the same needs as those leaving the districts.

The differences in the districts with military students is the sheer number enrolling during the year, for instance:

2006 - 2007	2007 -2008	2008 -2009
405 new students	419 new students	562 new students
Sept. - Feb.	Sept. - Feb.	Sept. - Feb.

Also, military families are under more stress. Father and or Mother may be deployed and often in harms way. Teachers need special training to deal with these specific situations.

Students of Military dependents generate revenue for the state. Kansas qualifies for \$16,200,000 in Federal Impact Aid. Manhattan and Junction City get 30% of this money. The rest, about \$11,300,000, remains with the state. The second count money can be used for special programs, services and extra staff to meet unique needs of military dependent students.

With the Military Bill of Rights, Kansas is a leader in military support and is recognized as such. Our educational support is without peer for the military student and the second count is a major player in this effort.

*Senate Education  
3-2-09  
Attachment 1*



KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS

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Testimony before the  
**Senate Education Committee**

on  
**HB 2002**

by

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

**March 2, 2009**

Madame Chair, Members of the Committee:

Thank you for the opportunity to testify as a proponent for **HB 2002**.

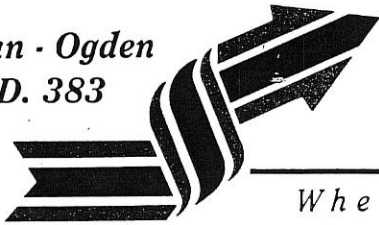
KASB believes, as expressed in a 2009 KASB Legislative Resolution, all districts that can show significant enrollment growth should have the opportunity to use a second count date, which would reflect additional educational expenses a district would find necessary to absorb.

**HB 2002** does not provide for all districts getting a second count day, but it does extend that opportunity to districts that can experience growth connected to an increase in the district's military population. That does make sense given that group of students' needs given their transient rates.

The bill would allow districts to use this authority for four years starting in the 2009-10 school year.

Thank you for your consideration.

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Attachment 2



March 2, 2009

Testimony on House Bill 2002

Madame Chairman Schodorf  
Members of the Senate Education Committee

My name is Bob Shannon. I am Superintendent of Manhattan-Ogden USD 383 in Manhattan. Our school district is located along the eastern boundary of Fort Riley. The community of Ogden, the location of one of our elementary schools, is immediately outside the Garrison's east gate.

I am here this afternoon to request that you approve an extension of a provision in the school finance act that allows for a February 20 count of children of active duty military personnel. This provision was implemented as one of our State's responses to the last Base Re-alignment and Closure (BRAC) Report that brought significant growth to Fort Riley. This extension would be for an additional four years, a timeframe that we understand will continue to see BRAC-affected changes as well as troop deployments impacting our school district as well as other school districts in the region.

As of this past September, we had experienced a 4-year increase of approximately 700 students in Manhattan-Ogden USD 383. Most of this growth is due to increased numbers of military-affiliated children. This increased number helped offset many years of enrollment decline. The February 20 provision has provided our district a margin of confidence to make the best possible plans for our students, both military and non-military, prior to opening of the school year.

We currently educate 1150 military students in our district. The number of military students enrolled between September and February this year was 145. Projections from two demographic studies indicate that this number should continue to increase for at least another four years. The Garrison office works closely with area schools to provide good information about troop deployments and re-deployments, but the nature of world affairs presently can change their needs and plans with relatively short notice.

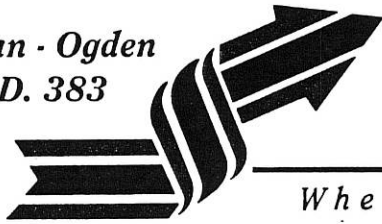
Our school district has responded with actions to accommodate the new children and welcomed growth. In the fall of 2005, we reversed the decision to close an elementary

school building that was to have been taken out of service in May of 2006. Furthermore, we re-opened another elementary school building that closed seven years ago. Local resources were used to maintain these two older buildings in good operating condition. As a community, we are excited about these changes in enrollment, but also know that we have an uncertainty of timing with BRAC changes as well as decisions about troop deployments with the conflicts in Iraq and Afghanistan. Although many military family re-locations occur during the summer months, there are also a significant numbers who must relocate when the orders come to serve the country.

The school districts in our region have been working as a team for over five years to prepare to support the children of the U.S. Army as they come to us from all over the country and world. They enrich our classrooms and schools, but also require resources for us to serve them well beginning the first day they walk through the school doors.

Because the growth of families stationed at Ft. Riley requires our area schools to hire teaching and support staff, provide resources, transportation and supplies; our board of education believes it is important that HB 2002 be extended through the school year 2012-13 to meet the educational needs of new military students who come to our region. Thank you for your support for all school children in Kansas as well as consideration of the proposed extension of this provision in the school finance act.

Robert Shannon, Superintendent  
Manhattan-Ogden USD 383



March 2, 2009

Testimony on House Bill 2002

Madame Chairman Schodorf  
Members of the Senate Education Committee

Thank you for the opportunity to speak to you today. My name is Pete Paukstelis, and I presently serve as President of the Manhattan-Ogden USD 383 Board of Education. On behalf of the Board, I request that you continue supporting military children by continuing the February 20 military count date.

Our school district has strong partnerships with the business, service, higher education, and governmental entities in our area. A partnership that is very important to our school district is that with the United States Army at Fort Riley. With the return of the Big Red One there has been an increase of troops and their families, which has boosted the spirit of the entire region. Over the past 6 years of overseas conflicts, Manhattan, Ogden, Junction City, and other area communities have felt a special responsibility to do everything possible to support the members of our nation's military, and their families.

One way our Board has done its part has been to provide good teaching space and reasonable class sizes for children. Four years ago, before the BRAC Commission recommended returning the Big Red One to Fort Riley, our community passed a sales tax initiative to be ready in case those soldiers returned. Because we were ready, we were able to bring additional classrooms into service within a year. That has kept our elementary class sizes down at the primary grades, where we have seen the most explosive growth.

But those population pressures continue to strain our district's space and resources. To accommodate this influx of soldiers and their families, the voters of our district recently approved a \$97.5 million bond issue to add additional space and to modernize existing space.

In supporting our district's efforts to meet the needs of military children, the Legislature's support for the February 20 count date has been invaluable. Military children often have enormous obstacles placed before them; obstacles that our teachers and staff try to address on a daily basis. We have incredible yearly turnover at many of our elementary buildings, including turnover of 40 percent at Ogden Elementary School. Often, incoming students do not come from schools with strong academic backgrounds. To help these students make Adequate Yearly Progress, we have to provide constant support to bring up performance. But just as soon as our teachers succeed with these students, the students move to another installation, new students arrive, and the cycle starts again.

Kansas was the first state to approve the Interstate Compact for Military Children. Thank you, Kansas legislators, for that action last year. It was very important to military families.

Similarly, the Legislature's support for the February 20 count date remains critically important to military children, and to the prosperity of military families in the State of Kansas.

Peter J. Paukstelis, President  
Manhattan-Ogden USD 383 Board of Education

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3-2-09  
Attachment 4



To: The Honorable Jean Schodorf, Chair

The Honorable John Vratil, Vice Chair

Members of the Senate Education Committee:

Bob Marshall, Dwayne Umbarger, Anthony Hensley, Susan Wagle, Steve E. Abrams,

Ruth Teichman, Tim Huelskamp, Chris Steineger and Thomas (Tim) C. Owens

From: Ronald P. Walker, Superintendent

Geary County USD 475

Date: March 2, 2009

Subject: House Bill No. 2002

Allow me to thank each of you for providing me an opportunity to address HB 2002. I would like to thank members of the Legislative Educational Planning Committee and the 2010 Commission for allowing me to provide insights to the Military Student Second Count Date over the summer. The experience was indeed one that I undertook with all the **passion** of an administrator representing our nations military families most valued possession, their children.

Likewise, the opportunity afforded our district and other districts throughout Kansas for the last four years through the Military Student Second Count Date allowed our districts to do something special for those who arrived in Kansas, not necessarily by choice but by order of the Department of Defense. They arrived expecting to find schools that were not equal to those they left. They arrived anticipating a difficult journey of transition for their children. They arrived with pre-conceived notions that they would have to fight tooth and nail for a quality education.

What they found was a state and many school districts exceptionally well prepared to meet the academic needs of their children. They found schools that were exceeding above their expectations and quickly settled into their new surroundings. They found transitions were very smooth because the Fort Riley Area administrators, teachers and support personnel prepared to meet their unique circumstances.

I credit this body, the Senate Education Committee with a vision that was unprecedented in the United States. I credit this body with the foresight and knowledge that something more was needed to support the many students who arrived in Kansas continuously during the past four years. Your leadership has been instrumental in providing this vision and leadership at a time when we all faced what could have been insurmountable odds. You worked the legislation to give us needed resources to increase our academic standing in Kansas, the nation and the world. For that, I am very, very thankful.

I also stand before you with the **persistence** of an administrator who sees that the world has changed greatly since that time four years ago. The Global War on Terrorism continues to take a toll on our

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families, our students and our staff. The social consequences are now more intense as the warfight continues to be a dominant force in the lives of our children. 159 soldiers have given their all during this warfight. Countless others have been wounded and face lives that will forever be transformed. Yet, our students continue to stand strong with their families as they face new uncertainties. They face emotional stressors that are so strenuous it is almost impossible to explain it to others.

Additionally I stand before you with the **pride** of an administrator who has witnessed a transformation in academic progress because we had resources to provide additional teachers through the second count along with the new At-Risk category. We have used these combined funds to add over 70 teachers during these four years (our secondary schools averaged 32 students per teacher), added a very strong MTSS program in our secondary schools and are in the second year of MTSS for our elementary schools. When the second count date came into being four years ago, one of our middle schools and the high school had never made AYP.

I proudly stand before you at the present time to say ALL of our schools have made AYP for at least two consecutive years! This was accomplished despite the fact that we face a tremendous mobility rate for our students, teachers and classified staff. We have increased social workers and counselors to address issues of transition and emotional stress. Our staff received training in Military Lifestyles and Living in the New Normal to assist them in understanding what our soldiers face when they first arrive on Fort Riley to the time they depart for tour in Iraq and now Afghanistan. The transition of the war fight to Afghanistan brings even more transitions and uncertainty.

Since the enactment of the second count four years ago, our student body has grown from about 5,700 to nearly 7,100 students. Sadly, we have lost over 90 soldiers and hundreds have been wounded in the four years also.

However, my optimism remains high and my hopes have been encouraged through the lives of our students. I cannot help but stand before you with all the passion and pride of an administrator who works in a district where the employees, students, parents and community understand that our school is making a valuable contribution to the war on terror by providing a safe, quality education to the sons and daughters of our brave military families. Thanks to the State of Kansas, the military understands that also!

The second count is vital to our overall success. It is crucial that funds are available to meet needs of students whenever families arrive. On January 30<sup>th</sup>, I presented to the Community Partners Committee on the state of education in the Fort Riley area. The Army commissioned Kansas State University to conduct a survey to find out why families move to Fort Riley. They wanted to know the most important factor families considered prior to moving.

Not surprising to me, education ranked among the top choices. Whether it was K-12 or higher education, families wanted their children and themselves to receive the highest quality of education possible.

On March 11<sup>th</sup> and 12<sup>th</sup>, I will be in Virginia to participate in the Army's Senior Leader Seminar to discuss the Army's Comprehensive Education Research Study. As you can see, the quality of Kansas Education is getting the attention of the Pentagon. Yes, the Military Bill of Rights passed by Kansas also stands out as a positive in military circles. Our state is known as military friendly!

I would also be remiss if I did not equate the economic impact Fort Riley has on Kansas. The last figures I have is through salaries and construction alone, Fort Riley contributes between \$1.6 and 1.7 billion annually to our economic base. Of course, we all know that is turned over at least once, so the impact is much larger.

I am also very aware that in the next three to six years, there will be another BRAC to consider the fate of U.S. military bases across the world. I am very aware that Kansas fared very well in the last BRAC. However, I know from firsthand experience that those states that did not keep their bases and launched all out efforts to reclaim them. They are preparing right now to turn the tide in their favor.

I am competitive by nature and knew that having Kansas to be the first state to pass the Interstate Compact for Military Children would be good for our children but also be very good for our state. I came before this body to explain the good it would bring to Kansas and you were very receptive.

I also see the second count date for military children as something good for our children but also good for the state. Military leaders are looking to Kansas to be leaders as we show the rest of the country how to be good neighbors for our military.

In my position, I have done everything possible to provide you with a message that is positive for our children and for Kansas. I only ask for what I believe in and what I think is right and correct for our kids.

I ask you favorably consider HB 2002 and move it to the floor of the Senate for vote. This is a very good bill. I can tell you, passage will not go unnoticed in the state or at the Pentagon.

I have always come before this body with only good intentions and very humbly accepted your responses. I thoroughly respect you for your work. I also understand the challenges of the time. Easy answers to the financial impact on Kansas are virtually non-existent.

It has been my pleasure to once again appear before this body and to share my thoughts and express my appreciation for the difficult work that confronts you.

Thank you for the opportunity.

Ronald P. Walker, Superintendent

Geary County USD 475

**Senate Committee on Education**

**Hearing on House Bill 2002**

**March 2, 2009 at 1:30 p.m.**

**Testimony of Lauren Palmer**

**Assistant City Manager, City of Manhattan, Kansas**

Good afternoon Chairperson Schodorf and Honorable Members of the Senate Education Committee. My name is Lauren Palmer, and I am an Assistant City Manager for the City of Manhattan. I want to thank you for this opportunity to address the Committee regarding an issue that is important to our community.

The City of Manhattan supports HB 2002 because it will help local school districts meet the educational needs of new military pupils in our community. The bill extends the military second student count date for four school years beginning with school year 2009-2010. The second count was originally authorized in 2005 and first extended in 2007. The City of Manhattan has identified the extension of the second student count date as a top legislative priority because growth continues at Fort Riley. Given the slow, but steady troop increase at Fort Riley and the need to be funded to hire teaching staff and provide resources, transportation, and supplies, this extension is critical for our area. School districts serving the Fort Riley area are faced with unique opportunities that include higher student mobility rates, cultural diversity, and stress from the Global War on Terrorism and the ever-transforming army. The second count date is vital to sustaining a strong Fort Riley and its economic contribution to the state. Thank you for your consideration today.



STATE OF KANSAS

**VIRGIL PECK, JR.**

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VICE-CHAIRMAN: INSURANCE

MEMBER: TAXATION  
TRANSPORTATION  
FINANCIAL INSTITUTIONS  
LEGISLATIVE POST AUDIT

HOUSE OF REPRESENTATIVES

MAJORITY CAUCUS CHAIRMAN

**Testimony Regarding HB 2002**

**Chairman Schodorf and Committee Members,**

Thank you for the opportunity to appear before you today to provide an additional perspective on HB 2002.

HB 2002 is a bill that will determine two things. First, should the second count date for schools with a significant enrollment of military students be allowed to sunset? Without the passage of HB 2002 that will happen at the close of the current school year. Second, is it the intent of the Legislature that schools with a significant enrollment of military students receive funding for the "gross" increase of those students, or the "net" increase?

I supported the establishment of a second count date for these schools a few years ago. And I continue to support a second count date. We should show support for military personnel in Kansas by making certain we do not short-change the public schools their children attend. Therefore, I urge this Committee and the Senate to continue the second count date.

Regarding the second topic of HB 2002. I, and I believe many other legislators, was of the opinion that the second count date for these schools was to provide funding for the increase in the number of students they were actually educating (net increase). As the bill currently stands it will provide funding for the gross increase of military students.

I believe it is unfair to the other 290-plus school districts to provide funding to these few schools to educate students they no longer have. Currently, HB 2002 works like this: USD # --- has 300 military students on September 20th. After that date, and before March 20th, they have 200 new military students start attending their school. However, 100 of the military students attending on September 20th have transferred to other schools, either in Kansas or some other state. On March 20 USD # --- reports that they have an increase of 200 military students and receive additional funding for 200 students. In reality they are only educating 100 more students than they were on September 20th. Therefore, they are receiving money from the State for 100 students they are no longer educating and are costing USD # --- nothing.

I realize many of these military students are dealing with the emotional trauma of having a parent that was sent off to war. However, each of us has students in our legislative district that have or are facing the same thing. In Southeast Kansas we had the 891<sup>st</sup> and the 1011<sup>th</sup> deployed to Iraq or Afghanistan. Our school districts, along with family, churches, and communities managed to help the children left behind without any additional funding.

I ask you to take HB 2002 back to its original language, to provide additional funding at the "net" increase for these schools rather than the "gross" increase. It's a matter of fairness.

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Attachment 7