

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:30 p.m. on March 8, 2010, in Room 152-S of the Capitol.

All members were present except:

Senator Anthony Hensley- excused
Senator Chris Steineger- absent

Committee staff present:

Theresa Kiernan, Office of the Revisor of Statutes
Sharon Wenger, Kansas Legislative Research Department
Dorothy Gerhardt, Committee Assistant

Conferees appearing before the Committee:

Paul Hettenbach, Board of Education, USD #435 (written only)
Tom Krebs, Kansas Association of School Boards
Representative Clay Aurand
Dale Dennis, Deputy Commissioner, Kansas State Department of Education

Others attending:

See attached list.

Hearing on HB 2595 - School districts; of students residing outside the district

Theresa Kiernan, Office of the Revisor of Statutes, provided a brief summary of the proposed legislation. This would authorize school districts to transport any non-resident pupil enrolled in and attending school in the district under K.S.A. 72-1046b. The pupil would be required to reside at least 10 miles from the attendance center that the pupil would have attended in the district where the pupil resides. The bill would eliminate the requirement of filing an application with the district in which the pupil resides on or before July 15 of the school year. The bill would require a district which allows a pupil to enroll under K.S.A. 72-1046b to notify the district in which the pupil resides before providing transportation to the student. Any pupil who is being provided such transportation would be counted in the enrollment of the district in which the pupil is enrolled and the district will not be reimbursed transportation costs. This legislation excludes any district with any part of the district being located in Johnson, Sedgwick, Shawnee, or Wyandotte counties.

Representative Clay Aurand provided a brief summary of the legislation, speaking in support of the bill. Written testimony in support of the legislation was provided by Paul Hettenbach, Board of Education, USD #435 (Attachment 1). Tom Krebs, Kansas Association of School Boards (Attachment 2), spoke in opposition to the legislation.

A short question and answer session was held with the conferees.

There being no other conferees, the hearing was closed.

Senator Vratil moved the committee amend the legislation by removing the language on page 2, line 18 which follows the word 'state', inserting a period, and removing the language which references parts of districts located in Johnson county, Sedgwick county, Shawnee county, or Wyandotte county. The motion was seconded by Senator Teichman. The motion carried on a voice vote.

Senator Teichman moved the committee recommend **HB 2595** favorable for passage, as amended. The motion was seconded by Senator Vratil. The motion carried on a voice vote.

The next meeting is scheduled for March 9, 2010.

The meeting was adjourned at 02:00 p.m.

Testimony before the
Senate Education Committee

On

HB2595

Written Testimony By

Paul Hettenbach, Board of Education Member

Abilene USD 435

Madam Chair, Members of the Committee:

Thank you for the opportunity to testify. I am a proponent of HB 2595. As a board member with over 22 years experience, I feel that this deadline places unneeded burden on families that move into an area after July 15th. At the present, they must provide transportation to the district boundary to meet the bus. Also, in the past there have been parents of kindergarteners that during enrollment find out about the July 15th deadline for the 10 mile rule. They too, must provide transportation to the district boundary. In July most families are not thinking of school. With busy kids and activities it is easy to miss the deadline.

When this rule first became law, the deadline was probably important for transportation directors to have time to develop bus routes. I don't believe that there are significant changes each year that removing the deadline will cause more problems for transportation directors. One thing that it will change, is dealing with upset parents that missed the deadline. In our area, most kids go to school where their parents want them to attend.

This change has no advantage to one district over another district. There is no cost involved to help these parents. Thank you for this opportunity to testify.

Senate Education
3-8-10
Attachment 1

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

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Testimony before the
Senate Education Committee
on
HB 2595

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

March 8, 2010

Madame Chair, Members of the Committee:

Thank you for the opportunity to testify on **HB 2595**, which makes changes to the 10-mile rule in regard to providing transportation for non-resident students. It removes the requirement that parents of students eligible under the 10-mile rule have to apply to the non-resident district by July 15. If the student is eligible for transportation under the 10-mile rule, the receiving district may furnish transportation.

Last session, a bill was introduced to remove the “10-mile” requirement from the 10-mile transportation law. At the request of one of our members, the KASB Legislative Committee reviewed our position on this issue. In December, our Delegate Assembly voted to adopt the following statement:

“KASB opposes changes in the “10-mile bus” rule that allows districts to transport non-resident students without permission of the district of residence in certain circumstances.”

As a result, we appear as opponents of this bill. However, I should note our committee did not review the issue raised in this bill: the procedure under which students apply by a July 15 deadline. Our discussion concerned whether the distance requirement should be changed or eliminated. However, none of our members have ever suggested problems in the deadline or application process under the law.

We note the July 15 deadline was originally adopted to give districts some advance notice about possible changes in enrollment before the adoption of their budget for the upcoming school year. We think that still makes sense. If the concern is some students may move into a district after that deadline – and would not be part of the expected enrollment anyway – a more narrow amendment to the bill would be appropriate.

Thank you for your consideration.

Senate Education
3-8-10
Attachment 2