

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

To: House Committee on Education  
From: Tamera Lawrence, Assistant Revisor of Statutes  
Date: February 2, 2015  
Subject: The *Rose* Standards

The *Rose* standards now form the basis for the test to determine whether the Legislature has provided adequate funding for education. The standards originated in the Kentucky school finance case *Rose v. Council for a Better Educ., Inc.*<sup>1</sup>, but have been noted in some fashion in school finance litigation throughout the country and the state of Kansas.

Kansas Supreme Court

In its March 7, 2014, decision in *Gannon v. State*, the Kansas Supreme Court stated that the “adequacy component is met when the public education financing system provided by the legislature for grades K-12—through structure and implementation—is reasonably calculated to have all Kansas public education students meet or exceed the standards set out in *Rose* and presently codified at K.S.A. 72-1127.”<sup>2</sup>

Senate Substitute for House Bill No. 2506

In Senate Substitute for House Bill 2506 that became law on May 1, 2014, the legislature codified the *Rose* standards in K.S.A. 2014 Supp. 72-1127(c). The law requires the state board of education to design subjects and areas of instruction to achieve the legislature’s goal to provide each child with the skills prescribed by the *Rose* standards.

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<sup>1</sup> 790 S.W.2d 186 (Ky. 1989)

<sup>2</sup> *Gannon v. State*, Case No. 109,335 at 76 (citing *Rose*, 790 S.W.2d at 212)

K.S.A. 72-1127

“(a) In addition to subjects or areas of instruction required by K.S.A. 72-1101, 72-1103, 72-1117, 72-1126 and 72-7535, and amendments thereto, every accredited school in the state of Kansas shall teach the subjects and areas of instruction adopted by the state board of education.

(b) Every accredited high school in the state of Kansas also shall teach the subjects and areas of instruction necessary to meet the graduation requirements adopted by the state board of education.

(c) Subjects and areas of instruction shall be designed by the state board of education to achieve the goal established by the legislature of providing each and every child with at least the following capacities:

- (1) Sufficient oral and written communication skills to enable students to function in a complex and rapidly changing civilization;
  - (2) sufficient knowledge of economic, social, and political systems to enable the student to make informed choices;
  - (3) sufficient understanding of governmental processes to enable the student to understand the issues that affect his or her community, state, and nation;
  - (4) sufficient self-knowledge and knowledge of his or her mental and physical wellness;
  - (5) sufficient grounding in the arts to enable each student to appreciate his or her cultural and historical heritage;
  - (6) sufficient training or preparation for advanced training in either academic or vocational fields so as to enable each child to choose and pursue life work intelligently; and
  - (7) sufficient levels of academic or vocational skills to enable public school students to compete favorably with their counterparts in surrounding states, in academics or in the job market.
- (d) Nothing in this section shall be construed as relieving the state or school districts from other duties and requirements imposed by state or federal law including, but not limited to, at-risk programs for pupils needing intervention, programs concerning special education and related services and bilingual education.”