

Senate Education Committee
on
Senate Bill 356
submitted by
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Chairman Abrams and members of the Senate Education Committee. Thank you for the opportunity to express my concerns about Senate Bill 356 as it is currently drafted. We all agree that reinstating a formula to provide equalization aid for bond projects is essential to allow districts to maintain their educational facilities, especially in low assessed valuation school districts. Equity funding is important to avoid having school districts and, more importantly, students being part of the “have or have not” simply because of where they are located in the state. We all can agree that a zip code should not determine what opportunities are made available to our students.

While it may be necessary to have some parameters on bond issues that are partially funded through state aid, setting up another legislative board that determines whether a community along with seven locally elected officials should be allowed to decide on a bond issue is a clear infringement on local control. Most local boards spend months if not years determining their needs for the students in their districts. Many, like our district in Meade, held numerous community meetings and worked with architects to look at multiple options before a bond issue was even presented to the public. For a legislative review board then to potentially overturn the will of the local community and the thoughtful decision making by local elected officials goes against the long held respect Kansas has had for local school boards. Who knows what is best for their communities, those in Topeka or locally elected officials who work and live in the community they serve? Even when superintendents recently met with the efficiency firm Alvarez and Marsal, the firm indicated that local control was “sacrosanct.” This bill erodes this long held principal and takes control away from the 286 boards of education and over 2,000 elected officials all across Kansas.

Capital improvement state aid limited to only that part of a school facility related to “direct instruction” may on the surface sound appealing and easy to define, but in reality almost every facility used in a school district is used for direct instruction or supports instruction. Classrooms certainly are used for instruction. Some may say that because a principal’s office or a maintenance facility doesn’t involve direct instruction, then it should not be considered for capital improvement state aid. This definition is very problematic because if we didn’t have those facilities our schools could not function properly to provide quality instruction. Gyms or athletic facilities often are cited as examples of buildings not being used for instruction. First of all, most of these facilities are used regularly for PE classes, health classes, and various other educational

activities. Secondly, most Kansans believe that even athletic activities help provide a well-rounded education for students and therefore enhance instruction of our students. So if a school district and a community decide to build an auditorium with their school, will this be considered “non-instructional?” Certainly it will be used for extra-curricular activities and even community events, but it will also be used for instruction of students who participate in fine arts. Unfortunately, some may believe that instruction should only focus on core academic facilities. Will other facilities in a school district be considered “non-instructional” facilities: industrial arts buildings, playgrounds, parking lots, centralized service centers, administrative centers, bus barns, etc. In some way almost every facility in a school is used for direct instruction or supports instruction. Student safety issues, particularly in light of the tragic nation-wide school shootings, have caused many school boards to respond by beefing up the design of new facilities as well as adding sorely needed improvements to existing facilities as a way to try to protect their students in the event a possible incident should occur at one of their schools. As this bill is currently drafted, it appears a school district would not qualify for any capital improvement state aid involving projects or parts of projects related to student safety. Again, without equalization aid, poorer districts could find themselves limited in what facility upgrades they might be able to provide in order to maximize the protection of their students in how their buildings are constructed.

It is understood that to make budgeting easier the legislature needs some defined timelines for when equalization aid requests for bond issues need to be submitted. Since most bond elections are in the spring or fall a cutoff date of possibly December 1 for requesting state aid for the next budget year starting in July might be appropriate. This would allow the legislature and governor time to budget for bond aid and not face additional allocations after the fiscal year begins.

Thank you for the opportunity to express my concerns on Senate Bill 356..