

Testimony in Opposition to Senate Bill 71

Senate Democratic Leader Anthony Hensley

Good morning, Mr. Chairman and members of the committee. I appreciate the opportunity to appear before you this morning. I come before you to speak in opposition to Senate Bill 71.

There are several reasons for my opposition to this bill. However, before I address the substance of the bill itself, I would like to speak to the process by which this bill came before this committee.

As I believe everyone in this room is aware, the Senate has as one of its standing committees, the Senate Committee on Education, of which I am the ranking minority member.

That committee is charged with considering bills impacting education in the state of Kansas. The title of this bill is, "An Act concerning school districts; relating to supplemental general state aid." Senate Bill 71 should be within the purview of the Senate Committee on Education.

This is not the first time this has been an issue. Less than a year ago I raised this same concern regarding not just one, but twelve education bills that were referred to Senate Committee on Ways and Means. I have included a list of those bills with my testimony.

And now, once again, there has been a decision to refer a school finance bill to Ways and Means instead of Education. In all the years I've served on both the House and Senate Education committees, the issue of school finance has always been discussed in those committees. To circumvent the Senate Education Committee's consideration of Senate Bill 71 is inappropriate and contrary to traditional legislative practice.

I believe this bill, Senate Bill 71, is yet another attempt to neglect our Article 6 constitutional duty to provide for the suitable financing of public schools because it cuts \$39 million from our state's poorest school districts in the current fiscal year.

In addition, the change it is proposing to the method for computing supplemental general (LOB) state aid will adversely impact the poorest of school districts which receive the highest amounts of state aid.

Just last session, we faced a Kansas Supreme Court order requiring the Legislature to increase funding in response to the equity portion of the *Gannon* decision. This change in computing LOB state aid will result in further inequity in public school funding and flies in the face of that order.

I believe the Kansas Legislature needs to be committed to ensuring all Kansas children – regardless of where they live or how much money their parents make – receive the first class education they deserve.

That means it is time to stop cutting K-12 education.

I make that statement not only because we have a constitutional duty to finance public schools, but also because I believe strong schools are the very foundation of a strong economy.

If the Kansas Legislature is going to get serious about growing the Kansas economy, we need to get serious about protecting our public schools. That begins with opposing Senate Bill 71.

Thank you.

A handwritten signature in black ink, appearing to read "A. Hensley". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

“In addressing equity, the panel strongly denounced wealth-based disparities in education funding, remarking that throughout the litigation history concerning school finance in Kansas, wealth-based disparities have been seen as an anathema, one to be condemned and disapproved. Its language choice suggested a ‘zero tolerance’ for any wealth-based disparity.”

Gannon, pp 87-88

From: Anthony Hensley

Sent: Tuesday, March 18, 2014 4:25 PM

To: Steve Abrams; Tom Arpke; Dan Kerschen; Jeff Melcher; Pat Pettey; Dennis Pyle; Vicki Schmidt; Caryn Tyson; Kay Wolf

Cc: Sharon Wenger; Jason Long

Subject: Education bills in Senate W&M

Senators:

FYI – The attachment to this email is a list of education bills in the Senate Ways and Means Committee. All but two of these bills have been referred to Ways and Means in the 2014 session. I am particularly troubled by the referral of bills to Ways and Means that relate to our current school finance formula (SB 277, SB 304, SB 390 and SB 443). Those bills should be within the purview of the Senate Education Committee.

Listed below are the bills in the Senate Education Committee pertaining to the school finance formula. All of these bills were referred to Education in the 2013 session.

My point is this: It appears the decision was made to refer school finance bills to Ways and Means this year instead of to Education.

SB 103 – School district; redefining at-risk pupil.

SB 131 – School finance; use of capital outlay funds.

SB 132 – School finance; amount of tax levy authorized to finance ancillary school facilities.

SB 133 – Providing authority for a school district to adopt a local activities budget.

SB 174 – School finance; amendments to certain weightings.

SB 178 – School finance; amending base state aid per pupil; increasing state prescribed percentage for local option budget for fiscal years 2014 and 2015.

SB 224 – School finance; amendments to certain weightings.

The only bill related to school finance that was referred to Education this session is SB 341, Governor Brownback's all-day Kindergarten bill.

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Education bills in Senate Ways and Means Committee

SB 173 – School districts; accounting for KPERS employer contributions as part of state aid to schools.

SB 196 – Creating the Kansas public charter school act.

SB 277 – Extending the alternative calculation for the local option budget under the school finance formula.

SB 304 – School districts; transfer of funds from capital improvement state aid to supplemental general state aid.

SB 369 – School district agreements for consolidation of administrative services.

SB 390 – School finance; phase out of school facilities weighting and transfer of funds to supplemental general state aid.

SB 401 – Removing affirmative defense to promotion to minors of material harmful to minors for public, private or parochial schools.

SB 427 – Creating the Johnson county community college go pro now program to provide high school students with an accelerated four-year, opportunity to receive a high school diploma, associate degree from Johnson county community college, and bachelor's degree from a state educational institution.

SB 429 – Providing postsecondary career technical education performance-based funding.

SB 430 – Providing for alternative teacher licensure.

SB 432 – Enacting the community college SUCCESS act.

SB 443 – Education; funding for capital outlay and supplemental general state aid.