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Wednesday February 14th, 2018
Chairman Aurand
Education Committee
Representative Sean Tarwater, Proponent HB 2485

Good afternoon Mister Chairman and fellow colleges of the Education Committee. I am before you today as a proponent of HB 2485.

This issue first arose when a group of constituents of mine approached me over the summer. The neighborhood is newer, and is somewhat rural in relation to most of the school district. This means they are surrounded by very dangerous, high speed limit roads that have neither sidewalks, nor shoulders.

When these people purchased their homes, they lived far enough away from the assigned grade school that safe transportation was provided. Recently, their neighborhood was transferred from one grade school to another. This placed a little less than one-half of the neighborhood is now under the 2.5-mile radius and safe transportation is no longer provided. The students now pay a fee around \$400 for safe transportation. The dangerous roads separate the neighborhood from the school and are the entire rout. These people were concerned and took issue with this. They asked me to help based on the following facts:

- 1) They purchased their homes with free, safe transportation and they chose the neighborhood knowing which school their children would attend.
- 2) They were forced to move schools
- 3) We recently raised their income tax to pay for schools
- 4) Their property tax has also increased dramatically
- 5) Pay-for bussing comes into the home buying decision and may affect sales
- 6) In addition to an increase in taxes, these people are now being asked to pay a fee for safe transportation
- 7) The neighborhood is a closed loop. The busses that go to the free students also drive by the students that must pay, and have plenty of room on them

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- 8) Most importantly, there is NO SAFE route for their children to self-commute to school

As I considered the issue, and the neighborhood began to talk, I received calls from others in the Stilwell area that are concerned for the same reasons. As I researched, I became increasingly concerned. In addition to dangerous roads, the children must cross busy bridges and dangerous railroad tracks. I have attached pictures.

As a common-sense legislator, I just knew the Blue Valley district would step up and help these people. I explained they had a perception issue and I advised them to make an exception for 1 year while we look for a long-term solution. After many attempts and a lot of back and forth, they determined that this move would cost them too much and they could not help, not even for 1 year.

As the President of my Home Owner Association, I occasionally rent busses. When I do, the bussing company charges me the same for the bus, no matter how many individuals use it. We pay the same cost for 10 people as we do for 30 people. I asked the school district if this is how it works for them. The answer was yes, it really would not cost them any additional funds to pick up the children and provide them with safe transportation. Unfortunately, they view this as an additional revenue source. They would rather continue to bill these children, just because they can.

The schools are still in court asking for more funding. It is very possible we will, once again, break the budget. Therefore, I knew we could not put a state-funded solution together. Also, knowing this school district and the KASB will adamantly fight against anything that will cause the schools to spend dollars, I knew the bill could not cause an increase in cost. The reviser and I came up with what I thought would be a common-sense solution that would be a compromise and still help keep the children safe. This brings me to the current bill.

As you can see, the bill was very carefully crafted as budget neutral, and only reacts only in the following circumstances:

- 1) The child lives under 2.5 miles and is currently a pay-for rider
- 2) The child does not have a safe way to commute. This is defined in the bill as either a 25 mph speed limit, or sidewalks and the children do not have to cross railroad tracks.
- 3) THERE IS ROOM ON A BUS THAT IS ALREADY PAID FOR

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Just like everything else we have discussed so far, the KASB will fight this. This time, however, they are not fighting it because it increases cost, but because it removes a possible revenue source. They will once again argue that a particular part of the formula does not cover the entire cost of transportation, not unlike their other arguments on every other issue so far. HOWEVER, out of the other side of their face, they will not allow us to dictate that the districts actually spend the dollars in direct proportion to the way the new formula is calculated. In fact, we have discovered many areas this year that they are NOT spending the dollars as the funding formula allocates.

The fact is; most of the rural districts already buss all their children because it is the right thing to do. I would argue this is one of the reasons Dale Dennis currently applies a density factor for larger, densely populated areas. This is the most concerning part of this issue. It appears that the state has taken this sort of thing into account and has been attempting to fund these districts. The Blue Valley district, that is fighting these students, has received much more in additional funds than this bill will cost them. I remind you the cost is because they will no longer be able to bill these children for safe transportation. In my opinion, the act of billing these families constitutes double billing. If I were one of these families, or any other pay-for family, I would certainly be concerned that I have been paying for transportation for which the state has already made appropriations, whether they will be deemed legal, or not. Considering these recent finding, I will suggest the bill be amended and the funds returned to the families for the current year.

I regret this negotiation has escalated to this level. This is yet another example of a school district stepping over dollars to pick up a penny. If this district would have helped these few students as a one year exception, this would have never had to happen.

Mister Chair, fellow committee members, thank you for your consideration today. I ask that you vote favorably to pass HB 2485

Sean E. Tarwater, Sr.

Kansas State Representative, District 27

Member of the Kansas House Education Committee

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