



Oral Neutral Testimony on

SB 386

Requiring enrollment under the Kansas school equity and enhancement act to be determined using the current school year or the preceding school year and requiring any district that closed a school building in the preceding school year to use the current year enrollment count.

By

Angie Stallbaumer, Deputy Director and General Counsel

Kansas Association of School Boards

[astallbaumer@kasb.org](mailto:astallbaumer@kasb.org)

January 30, 2024

Good afternoon, Madam Chair and Members of the Committee,

Thank you for the opportunity to appear as neutral today on SB 386.

KASB's member-adopted legislative policy supports allowing school districts to use **either** their current year enrollment **or** the greater of the past two years' enrollment to calculate state aid. Our members support this position because it helps our growing-enrollment districts and our districts with stagnant or declining enrollment plan for how their districts can best serve local students.

Since 2017, school districts have been using the greater of the past two years' enrollment to calculate state aid. This provision was enacted to give the legislature and the state department of education budgeting certainty after previous legislatures expressed concern that allowing districts to use current year enrollment resulted in lawmakers having to provide unplanned supplemental appropriations for districts that had enrollment growth.

Recent rapid growth of some school districts, particularly in the Johnson County area, led several of those districts to ask the legislature to adjust the enrollment calculation to give them the option of using current year enrollment. HB 2040 was introduced in the House Education Committee in 2023 and KASB testified in favor of the bill while emphasizing that we also supported retaining the option of the "two-year" look-back. HB 2040 was sent to the House floor but didn't receive a floor vote.

During the conference committee process of developing what became SB 113, HB 2040 language was inserted into the CCR, but the reference to the two-year look-back was stricken from the bill that ultimately passed. I know many of you on this committee heard strong concerns from school districts about striking the look-back, and that provision was ultimately line-item vetoed by Gov. Kelly.

Kansas Association of School Boards

1420 SW Arrowhead Rd, Topeka, KS 66604 • 785-273-3600 • [www.kasb.org](http://www.kasb.org)

Our growing-enrollment districts are here today to ask for the addition of the current-year enrollment option, and KASB supports them. We also support our declining enrollment districts that wish to retain the two-year look-back to help “smooth out” the impacts of enrollment declines. Reductions in staffing or services should be well-thought out and intentionally implemented to minimize the negative impacts of decreased funding on students. The two-year look back allows districts to make the judgment about how to best support their students when addressing these difficult financial situations.

We respectfully urge the committee to strike the bill’s provision requiring districts that closed a school in the previous year to use their current year enrollment. Making the decision as a community to close a school building is difficult for districts and their stakeholders, especially when that decision is reached because a district must make difficult financial decisions due to declining enrollment. This particular provision adds a greater financial burden to these situations and disincentivizes districts from making the very difficult and emotional, but fiscally responsible, choice to pursue a building closure.

Moreover, when a district closes a building, that does not necessarily mean that the district can forego all the teaching staff that worked in that building. In many cases, those staff continue to be needed to follow students who are moving to other buildings in the same school district. Allowing the two-year look-back, or even a one-year look-back, to apply to these situations will support districts in retaining the teachers and staff needed to continue to educate those students in their new school.

We’d be pleased to work with the committee to support all Kansas school districts and the students they serve. Our members believe that is best achieved through allowing districts to use either their current year enrollment or the greater of the previous two years.

Thank you.