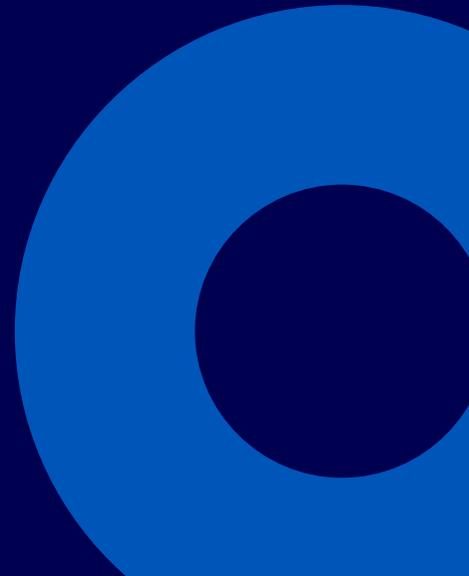


**DID YOU
KNOW???**

**The Timeline
Edition**





The land transfer process has been in progress since February 13th, but things don't seem to be going very well with USD 113 in the driver seat.



Let's take a look at what happened and see if we can figure out why a formal mediator is being called in.



THE TIMELINE

The Breakdown
FEB 13 - MAR 29



The Letter Charade
MAY 08 - JUN 12



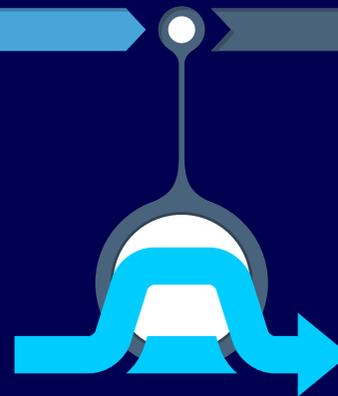
The Impasse
JUL 17 - AUG 23



The Ice out
MAR 29 - MAY 08



The Pivot
JUN 12 - JUL 17



The Intervention
AUG 23 - AUG 30





THE BREAKDOWN

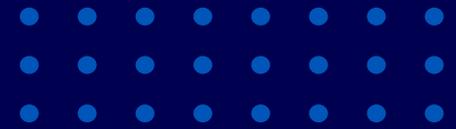


FEB 13 - MAR 29

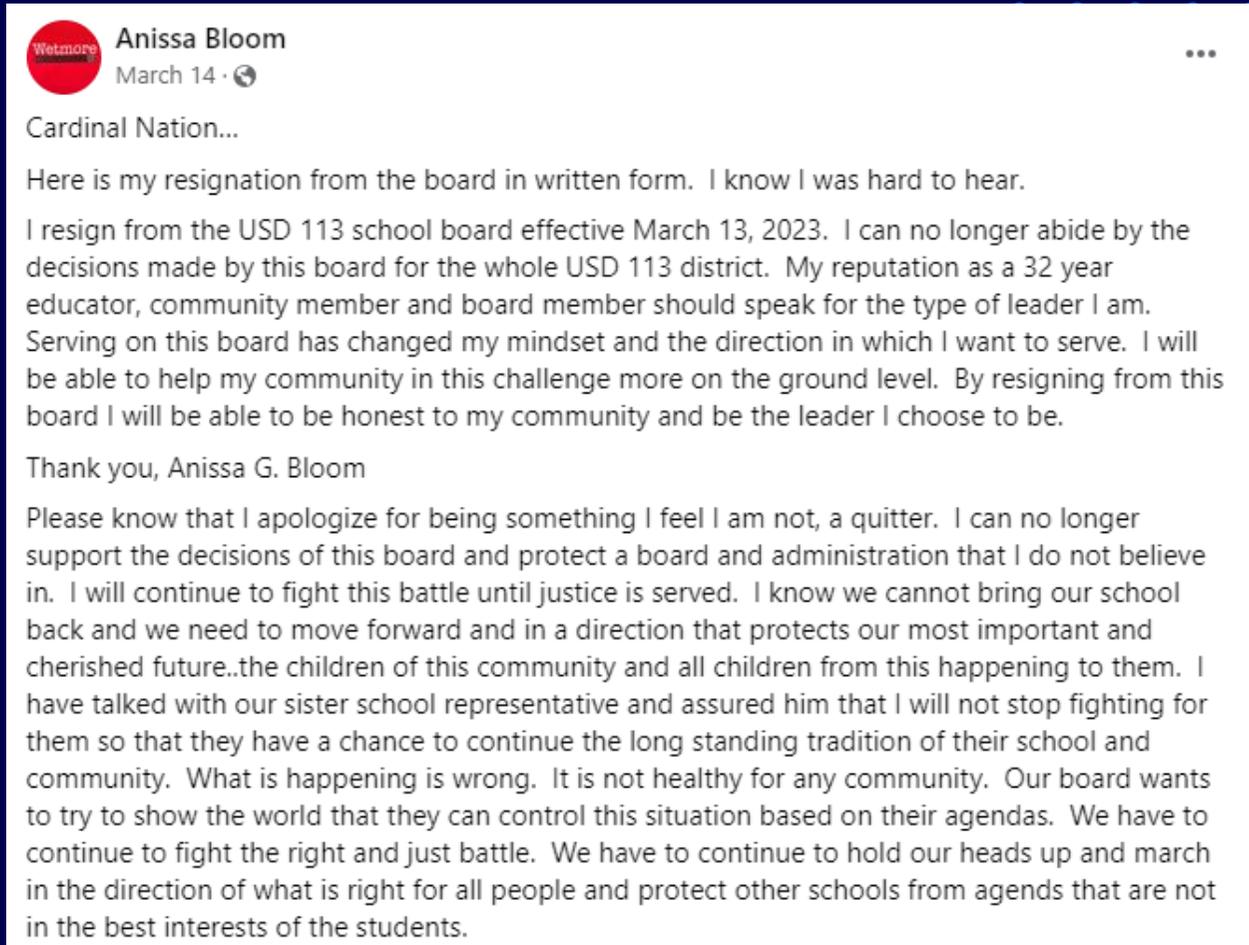
Transition Committee process breaks down, Wetmore board member resigns, and 1st meeting with USD 335 fails to produce meaningful dialogue.



**Board votes to close Wetmore's school
and a transition committee is
established to discuss making a land
transfer to Jackson Heights (#335)**



Sabetha board members ignore all feedback from the transition committee process and unilaterally announce 56th road as the proposed boundary line, despite strong objections from the Wetmore board member and general public.



**Wetmore board member, Anissa Bloom,
resigns from USD 113 BOE after
returning from Executive Session at the
March 13th meeting.**



One and only face-to-face meeting occurs between USD 113 & USD 335. The USD 113 board members appear confused and distressed that USD 335 has spoken to the Wetmore community about preferred boundary lines and USD 113 calls the fact that #335 will not receive base aid per pupil funding for Wetmore's students a "secondary issue."

[Link to video](#)

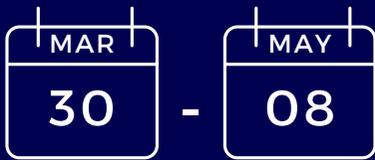


THE ICE OUT



MAR 29 - MAY 08

USD 113 declines 3 invitations for face-to-face meetings
with neighboring districts (2 requests from USD 335, 1
from USD 115)



USD 113
Prairie Hills
Todd Evans <evanst@usd113.org>

Second meeting invitation
1 message

Ange & David Allen <drallenmd@gmail.com> Tue, Apr 25, 2023 at 8:23 PM
To: Todd Evans <evanst@usd113.org>, buessingp@usd113.org, keims@usd113.org, lipperth@usd113.org, saylorl@usd113.org, scobyj@usd113.org, scobyj@usd113.org

On behalf of the entire USD 335 Board of Education, I would like to reach out again to the USD 113 Board of Education and invite you to meet with us to further discuss potential district boundary lines. distribution of the base aid per pupil associated with providing education for the students formerly attending the Wetmore Schools, and distribution of assets, buildings, facilities and property formerly used to provide education to students at Wetmore.

I was included in the initial response from Mr. Evans and Mrs. Scoby to Mr. Howard's invitation to meet. We understand that your board's initial desire was to negotiate at the committee level. Our board, however, is firmly committed to negotiating only board to board, in open session, to provide complete transparency to all parties involved in the process.

We at USD 335 understand that you have no sense of urgency in proceeding with these discussions. Being faced with the opportunity to educate the great majority of the students from the Wetmore community we feel that time is of the essence.

When considering the potential that we could be excluded from the tax base paid by Wetmore land owners who would choose to have their taxes go to the schools that are actually educating students from Wetmore schools ... you can understand why we desire to meet again and attempt to reach a fair and equitable solution.

To that end, we would like to offer a second board to board meeting at your earliest convenience so that we can finalize instructional and transportation plans moving forward and let our new students know what to expect.

David Allen

Board of Education
Owen Zinke, President
Amy Sudbeck, Vice-President
Cara Baker
John Deters
Jason Hammes
Amy Hueter
Jason Kramer

NEMAHA CENTRAL SCHOOLS



Nemaha Central High School
Benjamin Scism, Principal
214 N. 11th
Seneca, KS 66538
785-336-3557

Nemaha Central Elementary
& Middle School
Amy Beck, Principal
110 N. 11th
Seneca, KS 66538
785-336-2173

UNIFIED SCHOOL DISTRICT NO. 115
318 Main Street
Seneca, KS 66538-1924
Ph: 785-336-6101 Fax: 785-336-2268
TAVIS DESORMIERS, SUPERINTENDENT

April 17, 2023

Dear Madam President,

USD 115 requests a meeting with USD 113, to discuss land in the Bern area that consists of families attending the USD 115 school district, and to discuss the possibility of a land transfer with USD 113.

We are asking that this meeting be between the full boards of both districts and be conducted in open session. Our hope is to have friendly conversations and to provide as much transparency as possible for our communities. We suggest a meeting on April 26th, at a time and location of your choice.

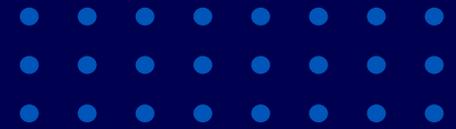
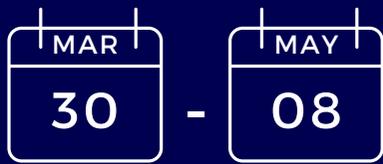
Please contact me at your earliest convenience to answer any questions or concerns with this request. Thank you for your assistance with this matter. I can be reached at ozinke@schenckprocess.com or 785-294-0279.

Respectfully,



Owen R Zinke
USD 115 Board of Education President

**USD 113 declines 3 invitations for
face-to-face meetings.
(2 from USD 335, 1 from USD 115)**



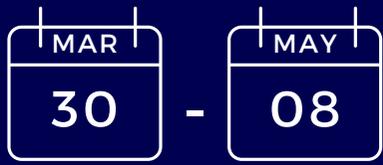
I was included in the initial response from Mr. Evans and Mrs. Scoby to Mr. Howard's invitation to meet. We understand that your board's initial desire was to negotiate at the committee level. Our board, however, is firmly committed to negotiating only board to board, in open session, to provide complete transparency to all parties involved in the process.

Excerpt from USD 335 letter (written by Board President, Dr. David Allen)

We are asking that this meeting be between the full boards of both districts and be conducted in open session. Our hope is to have friendly conversations and to provide as much transparency as possible for our communities. We suggest a meeting on April 26th, at a time and location of your choice.

Excerpt from USD 115 letter (written by Board President, Owen Zinke)

USD 113 proposed offline committee meetings, but both #335 and #115 boards requested “board to board” meetings to provide transparency to impacted communities.



USD 113 politely declined each board's request. Which brings us to phase 3, "The Letter Charade"



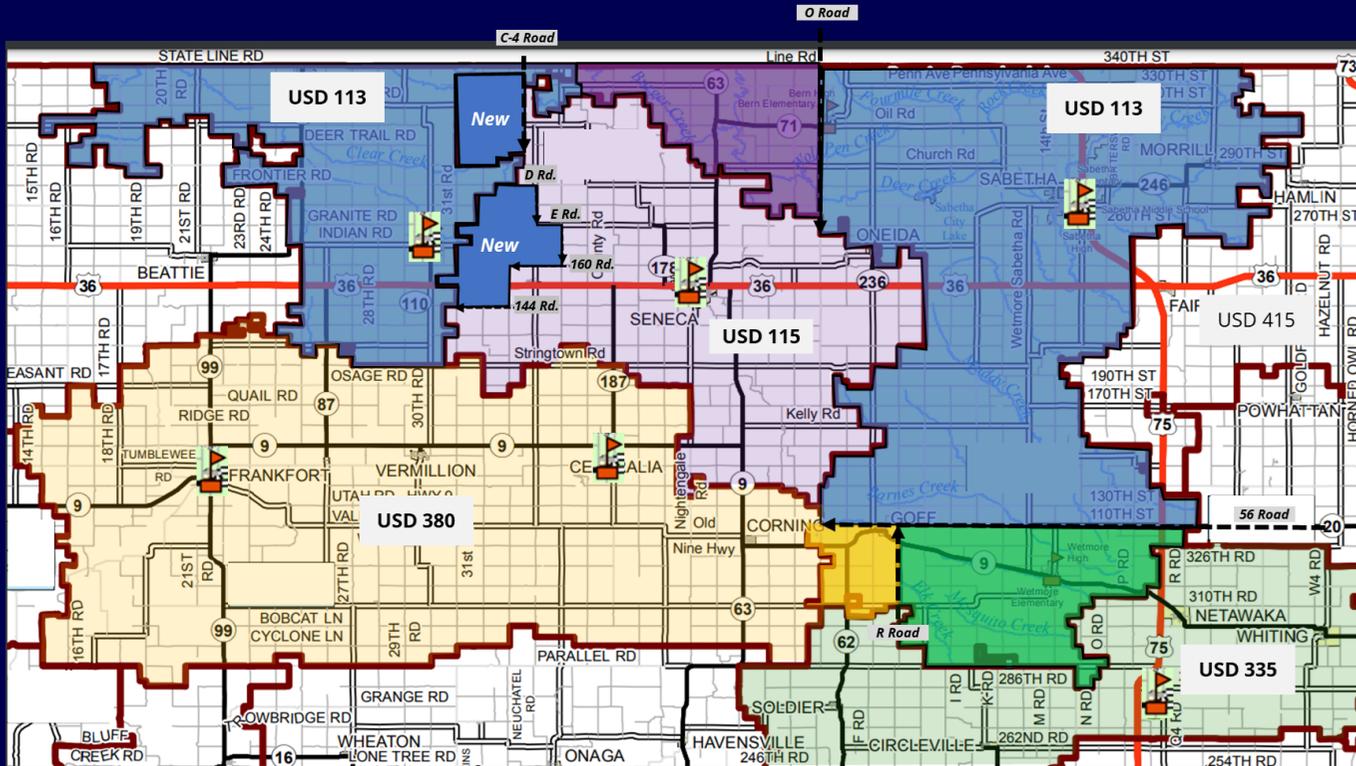
THE LETTER CHARADE



MAY 08 - JUN 12

USD 113 sends letters to each district stating preference for exchanging written letters over in person, or face-to-face meetings

JUN
12



The proposal provided by USD 113 in the June 12th letter proposed boundaries that knowingly left many families in the wrong district.

USD 113 proposal in June 12th Letter



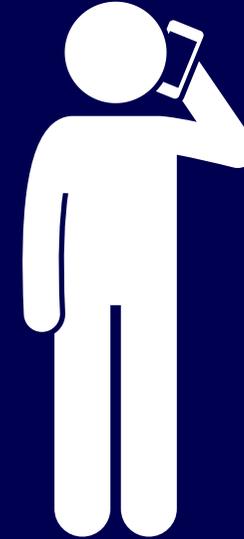
USD 113's letter also included an "exploding offer" clause which effectively stated that USD 380 could have all of the offered Wetmore territory if USD 335 didn't take the deal by July 17th.



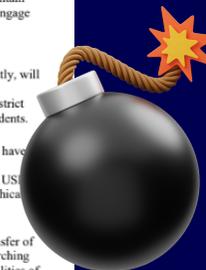
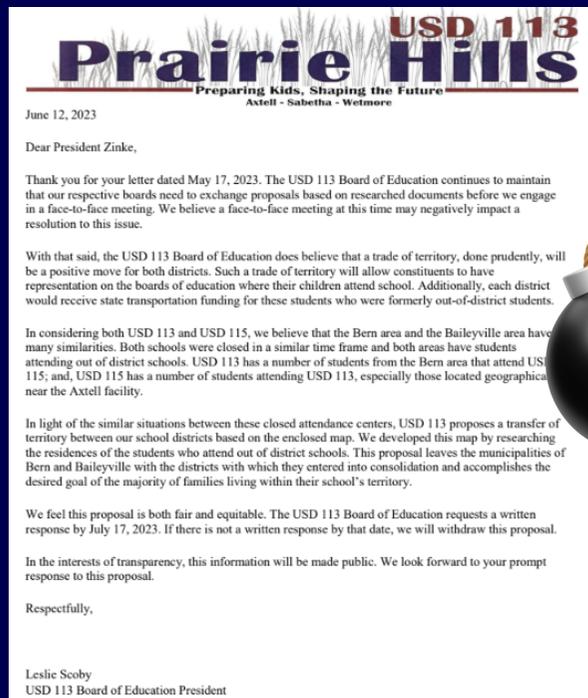
Furthermore, as indicated on the map of the proposed transfer of territory, USD 113 has communicated with USD 335 about a similar proposal. USD 113 has had a conversation with USD 335 which resulted in a lack of agreement. We are reaching out to them again. In the event that USD 335 is not willing to consider the land transfer offer, USD 113 is willing to discuss with USD 380 the possibility of extending land to the east as far as USD 380 desires within the USD 113 designated transfer boundary.

Excerpt from USD 113's June 12th Letter

This proposal was effectively designed to say, "this offer is the best you are going to get. Either take the deal as-is, or risk getting nothing."



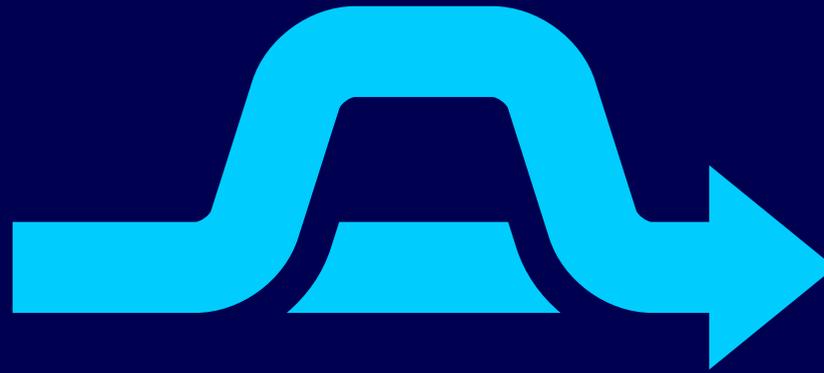
Thankfully, USD 380 cares more about ethics than money. USD 380 called USD 335 immediately to discuss their concerns with the structure and terms of USD 113's proposal.



This maneuver by USD 113 was one of many signals that USD 113 was not focused on doing what was best for the impacted families.

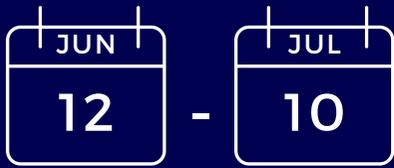


THE PIVOT

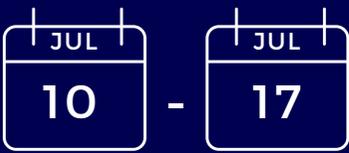


JUN 12 - JUL 17

USD 335, 380, and 115 align on reasonable boundaries
and submit joint proposal to USD 113



**Representatives from USD 335, 380, 115
meet to discuss feedback from the
impacted communities and align on a
proposal that meets student needs and
considers landowner preferences.**



Joshua A. Ney
josh@knlawgroup.com
Phone: (913) 303-0639

July 17, 2023

Page 1 of 3

VIA EMAIL AND PERSONAL SERVICE

USD 113 Prairie Hills Board of Education
Via Todd Evans, Superintendent
1619 S. Old Hwy 75
Sabetha, KS 66534
evanst@usd113.org

RE: USD 335, USD 380, and USD 115 Joint Counter-Proposal for Land Transfer

USD 113 Prairie Hills Board of Education:

Our firm represents USD 335, USD 380, and USD 115 ("Transferee Districts") as part of a joint representation regarding the current land transfer proposals extended by USD 113. I have received and reviewed the letters USD 113 sent to USD 335 (Exhibit A), USD 380 (Exhibit B), and USD 115 (Exhibit C), each dated June 12, 2023 respectively. Because each of those letters requested a response no later than July 17, 2023, this letter constitutes timely response on behalf of each Transferee District for the purpose of engaging in good-faith negotiations regarding land transfer prior to the initiation of formal land transfer mediation and petition proceedings with the Kansas State Board of Education pursuant to K.S.A. 72-530 and K.S.A. 72-532 et seq. In any event, thank you for responding to these communities' requests to initiate a land transfer process.

Please see attached and below for USD 335, USD 380, and USD 115's joint land transfer proposal ("Joint Counter-Proposal," attached hereto as Exhibit D and incorporating the terms of this letter). Given USD 113's stated preference for formally documented information over face-to-face conversations, we will proceed with initiating the land transfer mediation and petition process with the state board of education so these communities can expeditiously move towards a comprehensive solution that accurately reflects the needs, preferences, and living patterns of the regional communities involved.

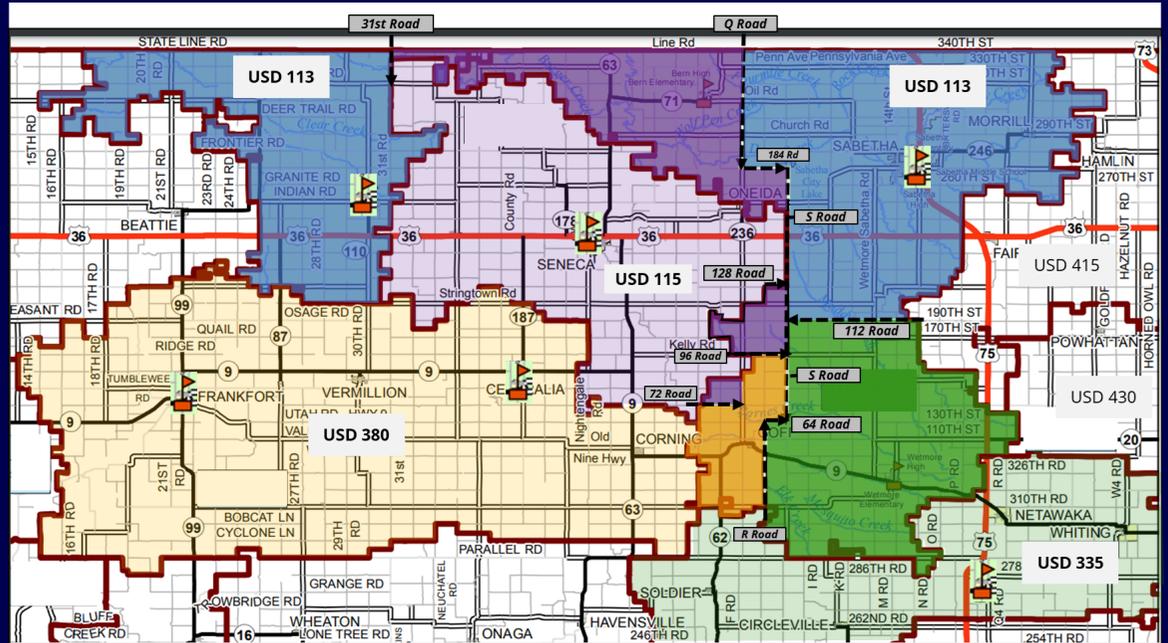
Land Transfer Counter-Proposal (Exhibit D)

As part of this comprehensive counter-proposal, see the attached Exhibit D for the land transfer counter-proposal demarcating the new boundary lines to be established for USD 113, USD 335, USD 380, and USD 115.

Additional funding for transportation costs in the 2023-2024 school year

Conditioned upon your acceptance of the other provisions of this Joint Counter-Proposal, my clients accept your proposal of providing \$1,258 for each former USD 113 student that enrolls at a Transferee District in the 2023-2024 school year.

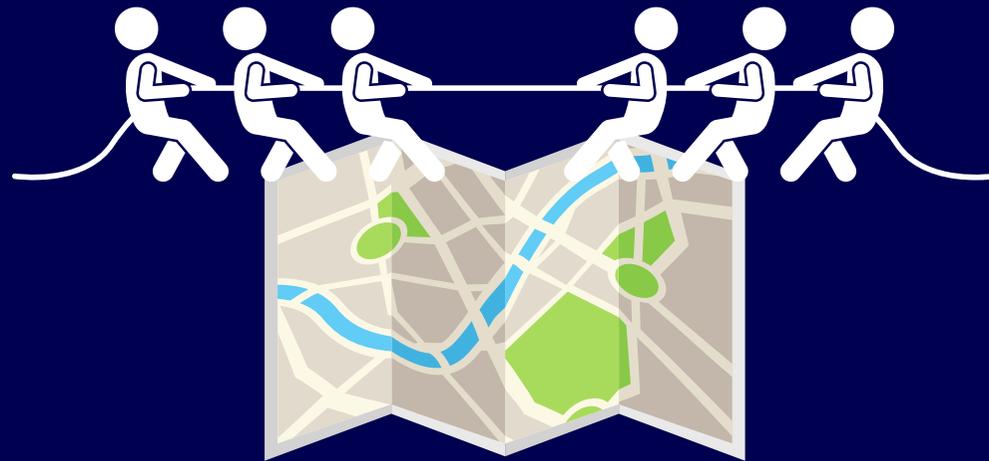
Kriegshauser Ney Law Group | 15050 W. 138th St., Unit 4493 | Olathe, KS 66063
www.knlawgroup.com



USD 335, 380, and 115 BOEs approve the joint proposal at their July 10th meetings and submit the joint proposal to USD 113 on July 17.



THE IMPASSE

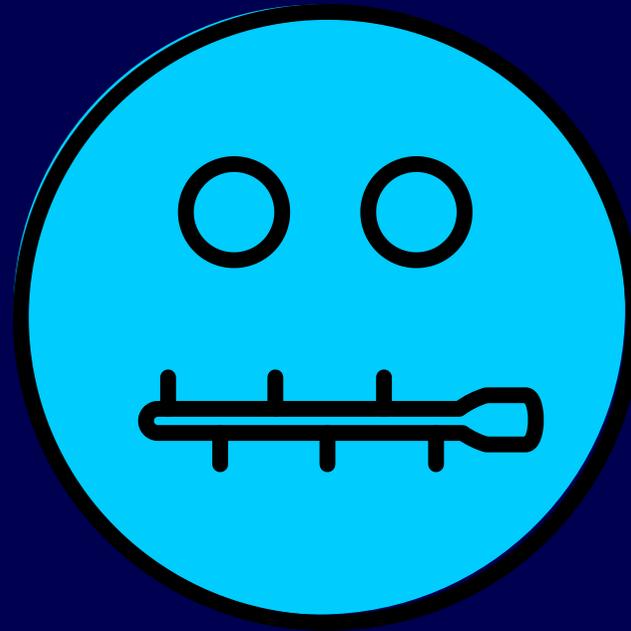


JUL 17 - AUG 23

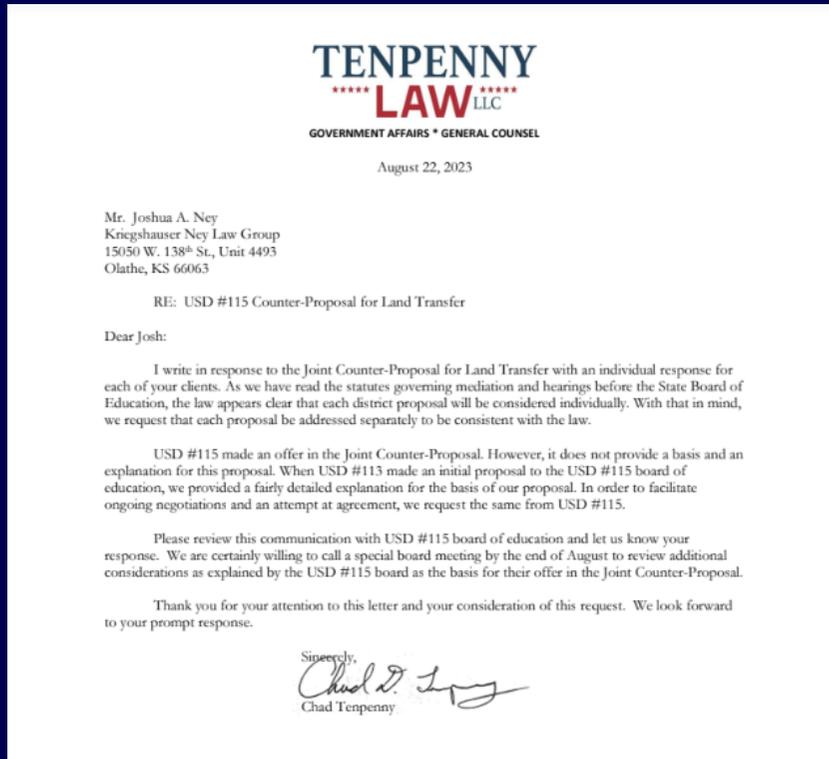
USD 113 fails to respond with a meaningful counterproposal and insists on taking conversations out of the public eye



Meeting held between USD 113 legal counsel and USD 335 legal counsel. Client positions and rationale for the joint proposal discussed in detail during a 90 minute meeting. (15 page presentation regarding joint district position reviewed in detail)



Local board meetings occur and USD 113 Superintendent states that it is not in USD 113's best interest to be transparent about the land transfer process and notifies the public that they will not be sharing details publicly going forward.



No counter proposal or stated willingness to adjust USD 113's proposed boundary lines included in response.

USD 113 sent response letters to each district asking for justification for the joint proposal - despite the 90 minute and 15 page justification already provided to their Attorney on Aug. 1st.



The USD 113 attorney followed up over phone to propose that three separate meetings could be held so the superintendents could meet one on one (one meeting for each district).



The Superintendents from USD 335, 380, and 115 met to jointly discuss the best course of action, and they unanimously decided that USD 113's divisive wedge and delay tactics were not in the best interests of their students.

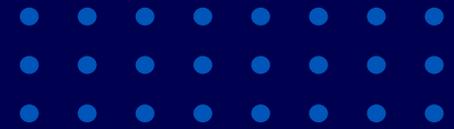


THE INTERVENTION



AUG 23 - AUG 30

USD 335, 380, and 115 jointly petition the Kansas State Board of Education to initiate a formal mediation process



Joshua A. Ney
josh@knlawgroup.com
Phone: (913) 303-0659

Page 1 of 1

August 30, 2023

VIA EMAIL

Kansas State Board of Education
c/o R. Scott Gordon, General Counsel
sgordon@ksde.org

RE: Request for land transfer mediation pursuant to K.S.A. 72-530

Dear Kansas State Board of Education:

I am legal counsel for USD 115, USD 335, and USD 380 ("Receiving Districts"). Each of these Receiving Districts formally request the appointment of a mediator pursuant to K.S.A. 72-530 for the purpose of considering land transfer between USD 113 and each of the Receiving Districts.

Since April 2023, each of the boards and administration teams of the Receiving Districts have been in conversation with USD 113 to seek an agreement to transfer proposed territory from USD 113 to each respective Receiving District. This process was initiated by the Receiving Districts as a result of a significant number of families who reside in USD 113 enrolling in the Receiving Districts for the 2023-2024 school year. After months of attempts at substantive dialogue, as well as the engagement of legal counsel for each of the districts, the Receiving Districts believe that the informal discussion process has broken down, necessitating the appointment of a mediator pursuant to K.S.A. 72-530.

I attach the Receiving Districts July 17, 2023 counter-proposal which includes previous correspondence from USD 113 outlining its initial proposal. Thank you for your assistance.

Sincerely,

/s/ Joshua A. Ney
Joshua A. Ney, Partner

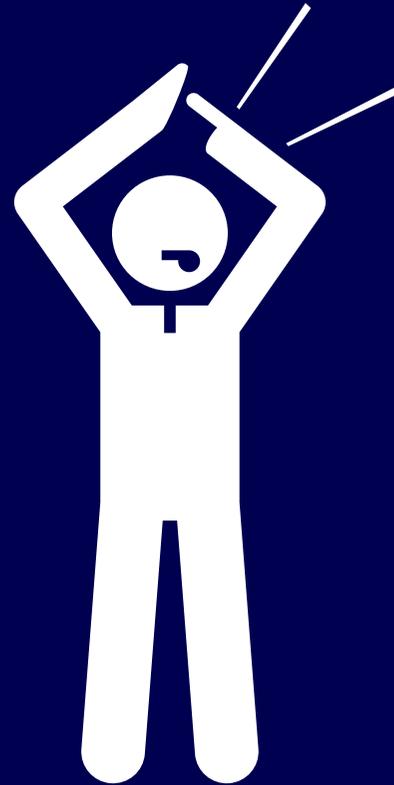
CC: Chad Tenpenny, Legal Counsel for USD 113

USD 335, 380, and 115 jointly petition the Kansas State Board of Education to request the appointment of a mediator as the best next step to resolve the ongoing dispute.



USD 113 Board of Education begins referring to families from Wetmore and Bern as “Special Interest Groups” and releases a letter claiming that USD 113 is “under attack”

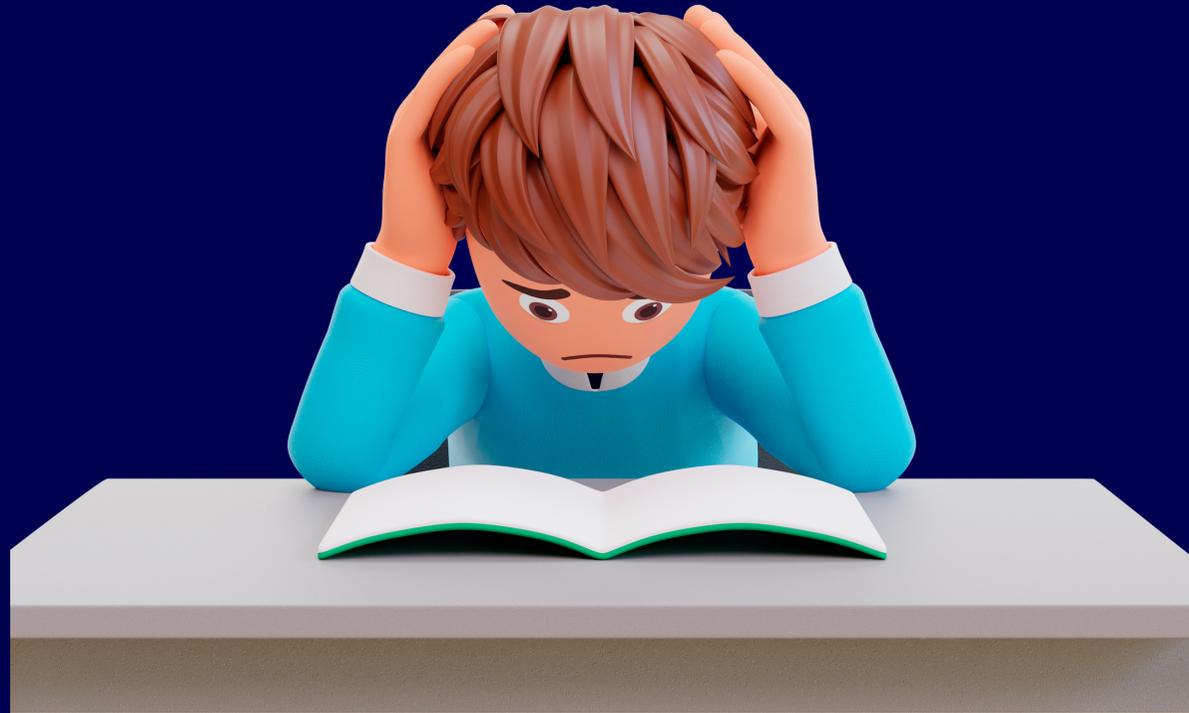
[Link to article](#)



The September 12th letter from USD 113 is a perfect example of why the neighboring schools decided to request the statutorily authorized assignment of a neutral mediator.



Wow, this situation has really gotten out of hand. I hope the mediator can help.



This recap was paid for by
families from USD 113.
#pleasesendhelp