

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:30 p.m. on February 17, 2011, in Room 152-S of the Capitol.

All members were present except:
Senator Anthony Hensley

Committee staff present:
Sharon Wenger, Kansas Legislative Research Department
Laura Younker, Kansas Legislative Research Department
Jason Long, Office of the Revisor of Statutes
Eunice Peters, Office of the Revisor of Statutes
Dale Dennis, Deputy Commissioner, Kansas Department of Education
Dorothy Gerhardt, Committee Assistant

Conferees appearing before the Committee:
Mark Tallman, Associate Executive Director for Advocacy, Kansas Association of School Boards
Cheryl Semmel, USA Kansas (written only)
Bob Vancrum, USD #229
Diane Gjerstad, USD #259
Stuart J. Little, USD #512 (written only)
Bill Reardon, USD #500
Senator Mike Petersen
Andree Sisco
Craig Wilford, Superintendent of Schools, USD #260 (written only)
Evan C. Watson (written only)
Janet Blanc (written only)
Angee Sisco (written only)
Tara Nussbaum (written only)
Maj. Michael Oliver, SG County Sheriff's Office (written only)

Others attending:
See attached list.

Approval of Minutes

Senator Teichman moved to approve the minutes of January 27, January 31, February 3, February 7, February 8, February 9, and February 10, 2011 as written. The motion was seconded by Senator Abrams. Motion carried on a voice vote.

Hearing on SB 57-School districts; amendments to base state aid per pupil for local option budget purposes

Jason Long, Office of the Revisor of Statutes, provided a summary of the provisions of **SB 57**. The current statutory method of calculating the local option budget (LOB) by a school district is set to expire on June 30, 2012. Under current law, when the amount of base state aid per pupil (BSAPP) is \$4,433 or less, a school board may calculate the LOB based on a BSAPP of \$4,433, or an amount that does not exceed an amount of 30.0 percent of its general fund budget, whichever is greater, plus the amount received in special education state aid in school year 2008-2009, or the current appropriation, whichever is higher.

Current law also allows a school board to calculate the LOB on 31.0 percent of its general fund budget, if an election is held. **SB 57** would remove the sunset date of June 30, 2012, and in addition, would allow a school district to calculate its LOB based on a BSAPP of \$4,492 instead of \$4,433.

If the current method of calculating the LOB is allowed to expire on June 30, 2012, the Kansas Department of Education estimates that LOB state aid would be reduced by approximately \$42.5 million in FY 2013, as school districts would no longer be able to utilize a BSAPP of \$4,433 for its LOB calculation. However, the Department estimates that LOB state aid would increase by approximately \$4.1 million in FY 2012 and subsequent years, as school districts would be able to utilize a BSAPP of \$4,492

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for its LOB calculation instead of a BSAPP of \$4,433.

Mark Tallman, Associate Executive Director for Advocacy, Kansas Association of School Boards, appeared before the committee in support of the passage of **SB 57** (Attachment 1). He stated that increasing the basis from \$4,433 to \$4,492 would inflate the general fund an estimated \$39 million, providing approximately \$12 million in potential additional LOB authority. Under the position adopted by KASB's special Committee on Funding Public Education and Board of Directors, KASB could support this concept, provided the additional authority is equalized at a higher ratio. Under current law, this approach would also allow local boards to access the funding without additional election requirements. Although this action would require an increase in local property taxes, that decision would be made by locally elected boards.

Cheryl Semmel, Executive Director, USA Kansas, provided written testimony in support of **SB 57** (Attachment 2). They feel repealing the June 30, 2012 sunset date and changing the Base State Aid Per Pupil from \$4,433 to \$4,492 for purposes of calculating the Local Option Budget allow districts to offset the impact of reductions to the BSAPP and other programs and allow school districts to plan for the future.

Bob Vancrum, USD #229 (Attachment 3) and Diane Gjerstad, USD #259 (Attachment 4), each provided testimony in support. Stuart J. Little, (Attachment 5) provided written testimony on behalf of the Shawnee Mission School District, USD #512 in support of **SB 57**.

Bill Reardon, USD #500, appeared before the committee with testimony in opposition to the passage of **SB 57** (Attachment 6). He stated the Kansas City school district strongly opposes any expansion in local taxing authority. They feel this legislation applies a district's LOB percentage to an artificial base of \$4,492 and is another example of a dis-equalizing, thinly veiled LOB increase.

Senator Umbarger requested information indicating the difference between a BSAPP of \$4,433 and \$4,492, assuming the LOB remains the same.

The hearing on **SB 57** was closed.

Hearing on SB 144 - Providing bus transportation for school children subjected to hazardous walking conditions

Eunice Peters, Office of the Revisor of Statutes, provided a brief summary of the provisions in **SB 144**. **SB 144** would provide that any student who is subjected to hazardous walking conditions, as established by the Kansas Board of Education rules and regulations, while en route to or from school, to be provided transportation by school districts. Under current law, school districts are required to provide transportation only to students living over 2.5 miles from school. It is upon that basis that state aid is calculated.

Senator Mike Petersen appeared before the committee in support of **SB 144** (Attachment 7). He stated this legislation is the result of a constituent request. The bill requires the State Board of Education to develop standards for determining if a serious hazard exists where walking is alleged to constitute a serious safety hazard due to rail crossings or an intersection greater than 60 feet on a student's route to school. The bill allows a parent or guardian to petition the school board in writing to determine if in walking along normally traveled roads a serious hazard exists. The district may receive transportation funding for hazardous routes inside the 2.5 mile limit.

Andree Sisco also appeared in support of **SB 144** (Attachment 8). She testified she is currently president of the Oaklawn Parent Teacher Organization with 11 grandchildren, five of whom would be directly affected by the passage of the legislation. Craig Wilford, Superintendent of Schools, USD #260 (Attachment 9), Evan C. Watson (Attachment 10), Janet Blanc (Attachment 11), Angee Sisco (Attachment 12), Tara Nussbaum (Attachment 13), and Maj. Michael Oliver, SG County Sheriff's Office (Attachment 14) all provided written testimony in support of **SB 144**. Senator Petersen stated an amendment had been drafted which would limit the provisions of this bill to elementary age students.

There being no further discussion, the hearing on **SB 144** was closed.

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The next meeting is scheduled for February 21, 2011.

The meeting was adjourned at 2:30 p.m.