

Approved: 2/16/93
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by Chairperson Dave Kerr at 1:30 p.m. on February 15, 1993 in Room 123-S of the Capitol.

All members were present except: Senator David Corbin (Excused)

Committee staff present: Ben Barrett, Legislative Research Department
Avis Swartzman, Revisor of Statutes
LaVonne Mumert, Committee Secretary

Conferees appearing before the committee:
Sidney T. Warner, Cimarron

Others attending: See attached list

Chairman Kerr announced that the Committee would interview Sidney T. Warner, a recent appointee to the Kansas Board of Regents.

Sidney T. Warner, Cimarron, summarized his background. He attended public schools in Cimarron, graduated from Kansas State University and served two years in the Army. He is a partner in a farming and ranching business, involved in several insurance companies and is a real estate broker. Mr. Warner described his community activities: Rotary, Watershed District No. 3, extensive participation in Boy Scouts, Groundwater Management District No. 3 and involvement in political organizations.

Mr. Warner responded to questions from Committee members. He said his interest in higher education stems from his background in Boy Scouts and in business. He noted that, although he is a KSU graduate, members of his family have attended numerous different higher educational institutions in Kansas. He added that, to his knowledge, he is the only member of the Board of Regents who resides west of U. S. Highway 81, so perhaps he is a representative of the rural areas of the state. With regard to qualified admissions, Mr. Warner stated he does not have a solid position. It is his belief that requirements for members of the board should include broad experience in business, agriculture and/or professional background; be "open-minded" individuals and not intimidated by dealing with large budget figures. Mr. Warner said that cost should not be the sole consideration, but the quality of program should be considered and the system should be responsive to continuing education requirements. He advised that he does not believe that Washburn University should be added to the Regents system until there is a more favorable economic climate. Mr. Warner believes improvement could be made if the community college system and the area vocational technical school system were under the Regents system. He expressed a concern about the transfer of credits between the various systems. He discussed the ongoing reallocation of resources by universities and the Regents and said that, in order to have an effect, actions must be taken to which there is opposition.

Chairman Kerr briefly described four bills presented for introduction: 1) establishing a Kansas Certificate of Mastery program, 2) qualified admissions to Regents institutions, 3) establishing a Technical Incentive Grant program and 4) requiring computer literacy for issuance of teachers and administrators new or renewed certificates. Senator Langworthy made a motion that the four bills be introduced. Senator Emert seconded the motion, and the motion carried.

SB 102 - School districts, local option budgets, certain resolutions and elections invalidated

The Committee was provided with a letter from Dr. Ron Wimmer, Superintendent of Schools USD #233, Olathe (Attachment 1) and a newspaper article from *The Capital-Journal* regarding the USD #501 local option budget (Attachment 2).

Staff gave an explanation of a proposed amendment to SB 102 which would allow a district to maintain its

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, Room 123-S Statehouse, at 1:30 p.m. on February 15, 1993.

1992-93 local option budget regardless of the outcome of a resolution for an increase in 1993-94 (Attachment 3). Three examples were provided (Attachment 4).

Senator Langworthy made a motion to approve the minutes of the February 10 and 11, 1993 meetings. Senator Emert seconded the motion, and the motion carried.

The meeting was adjourned at 2:30 p.m. The next meeting of the Committee is scheduled for Tuesday, February 16, 1993.

SENATE EDUCATION COMMITTEE

TIME: 1:30 PLACE: 123-S DATE: 2/15/93

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Kidney Warner	500 Court Cimarron, Ks	Regents
TOO D. Ayres	Topeka	REGENT STAFF
Jim Gossally	Overland Park	USD #512
Charles Burnett	Topeka	USD 501#
Tim Nims	Topeka	ASK
Craig Grant	Topeka	HWEA
Mark Tallman	Topeka	KASTB
Bruce Goeden	Topeka	Kansas AEA
DONNA MEISTER	Topeka	Sen. Conf. Oversight Comm.
Jim Alleg	"	KEHC
Ken Bohr	"	4th Enrollment USD's
George Wingerd	"	Gov. Office
Denise Ayl	"	KACC/USA
Jacque Oakes	"	SOE

February 11, 1993

To: Senator Audrey Langworthy

From: Dr. Ron Wimmer, Superintendent of Schools USD#233, Olathe

Subject: Senate Bill 102

Yesterday, February 10, I attended the Senate Education hearing on S.B.102. Mr. Gene Cobb of Olathe and others provided testimony in opposition to the bill. I would like to clarify several points made by Mr. Cobb during his testimony. In respect of your time, I will be brief in presenting the following information for your consideration.

1. Mr. Cobb did initiate a protest petition resulting in the collection of over 3,000 signatures. Mr. Cobb failed to indicate the false and misleading reasons given to individuals motivating many to sign the petition. Among other statements, the petitioners falsely informed citizens their taxes would go up 25% per year for each of the next four years if the voters did not protest and vote down the local option budget. Individuals have since appeared before the Board of Education outlining the misleading information used to collect signatures to the petition. Several have requested their names be removed from the petition.

2. Mr. Cobb made reference to comments from the Board of Tax Appeals. We did appear before the Board of Tax Appeals along with Mr. Cobb. Our appeal for costs associated with opening a new high school was approved. Two members concurred with the approval but expressed concerns about controlling costs. Mr. Cobb appealed the decision without success to the Board of Tax Appeals.

4. Mr. Cobb made reference to past budget appeals obtained by the district since 1988 in the amount of approximately \$7 million. Mr. Cobb did not indicate the district has opened five new schools and increased enrollment over 3,200 students during this time period. All appeals were below actual operating costs and received approval and support of the Board of Tax Appeals.

In conclusion, I wish the Education Committee to realize the tremendous time, costs, and disruption to normal school operations the issue of school finance and budget has created over the past two years. I have spent an inordinate amount of time dealing with school finance and tax controversy instead of concentrating on leadership to improve education for students.

As we are scheduled to vote on the local option budget on April 6, we are working hard to inform voters on this important issue. Overcoming fear and propaganda fueled by opponents, however, is a continual and difficult task. My testimony presented to the Interim Committee in November reflects our position on this issue. I have faith and confidence you and your colleagues will look beyond the testimony of tax protesters and act in a manner to provide an excellent education for our children. If I may be of further assistance, please do not hesitate to let me know.

Sen. Education
Attachment 1
2/15/93

Anxiety grows over budget vote

■ Parents want to persuade Topekans to allow USD 501 keep local option money

By KRISTEN L. HAYS
The Capital-Journal

A determined group of concerned Topeka parents doesn't want to face the 1993-94 school year with a Topeka public schools budget slashed by nearly \$5 million.

They have heard the debate between school officials and critics over whether the \$4.9 million local option budget is a tax increase.

They have watched opponents' local option figures grow. They have seen rising anxiety among teachers, principals and other officials in Topeka Unified School District 501.

The parents' anxiety about the local option vote on April 6 is on the rise, too. They want to persuade Topeka residents

to let USD 501 keep the money it has.

The group's name is Project YES Puts Children First.

Its leaders include Marsha Mechtley and Tim Clothier, parents of children who attend Avondale West Elementary School, and Melody Woerman, whose son attends Randolph Elementary.

The issue is whether USD 501 will have to cut the \$4.9 million local option it gained in 1992-93 from its budget.

The local option lets USD 501 spend \$3,939 per pupil rather than the statewide minimum of \$3,600.

The Topeka Board of Education has pledged not to do anything that would raise the current levy of 49.65 mills. That's a 38.56-mill drop from last year's levy of 88 mills because of the 1992 school finance law.

A negative vote would cut it to 36 mills.

With 49.65 mills, the tax on a \$50,000 house is \$297.90. With 36 mills, that tax bill would drop \$81.90 to \$216.

The main opposition to the local option "is that it would be a tax increase, but I opened my house payment and it went down \$52," Clothier said.

"Everybody's went down," Woerman

said. "We just want to keep what we're already paying.

"You take it for granted," she continued. "You drop your kids off at school, go to the pancake feeds and lasagna suppers. But you can't take it for granted because someone's trying to take it away."

The local option budget funded 8-percent raises for teachers and non-teachers. It restored the outdoor/environmental education program, created the Second Chance School for expelled students, hired licensed practical nurses and counselors, and let USD 501 hire teachers to keep elementary class sizes at or below 25 pupils.

That's what sold Woerman on it.

"My child is in third grade. Last year, there were 29 kids in his class. All the second grade classes at Randolph had a minimum of 27 kids, and they had to have their reading time in the hallway.

"It's really hard for kids to get the education they need with 29 kids in a classroom," she said.

Mechtley, president of the Avondale West parent-teacher organization, said PTO groups throughout the district use fund raisers to meet needs the district

can't afford, but they can only do so much.

She said Avondale West parents want their children to have a computer laboratory and are raising funds for it. But she fears school dependence on already strapped PTOs will rise if the local option slips through the district's fingers.

Woerman said, "If this is defeated, I don't think anyone can claim this district is progressive. If we cut \$5 million, it will be a less desirable place to send your kids to school."

Mechtley added a rollback to \$3,600 per pupil would be close to the \$3,616 USD 501 spent per pupil two years ago.

"Think of what we've done in the last two years. We'd just be going back," she said.

Mechtley said each PTO and booster club president in USD 501 has received letters about the group, and she expects a plethora of volunteers to join the group.

As they meet with local organizations, businesses and in small gatherings in homes, they'll watch for the district to release a report in March of what could make the chopping block if cuts have to come, she said.

February 15, 1993
KLRD

ILLUSTRATION OF THE EFFECTS OF SELECTED LOCAL OPTION BUDGET (LOB) ALTERNATIVES

(EXAMPLES BUILT FROM HYPOTHETICAL 1992-93 BASE FOR A DISTRICT
WITH \$50,000,000 BASE BUDGET AND \$5,000,000 LOB -- TOTAL \$55,000,000)

EXAMPLE 1 -- PRESENT LAW

USD ADOPTS LOB RESOLUTION, RESOLUTION IS PROTESTED, VOTERS APPROVE PROPOSED LOB

\$ 50,000,000	State Financial Aid (Base Budget) -- Same For Both 1992-93 And 1993-94
5,000,000	10 Percent -- 1992-93 Local Option Budget
6,500,000	13 Percent -- Proposed 1993-94 Local Option Budget
6,500,000	1993-94 LOB
\$ <u>56,500,000</u>	1993-94 Total Base Budget Plus Local Option Budget

EXAMPLE 2 -- PRESENT LAW

USD ADOPTS LOB RESOLUTION, RESOLUTION IS PROTESTED, VOTERS DISAPPROVE PROPOSED LOB

\$ 50,000,000	State Financial Aid (Base Budget) -- Same For Both 1992-93 And 1993-94
5,000,000	10 Percent -- 1992-93 Local Option Budget
6,500,000	13 Percent -- Proposed 1993-94 Local Option Budget
0	1993-94 LOB
\$ <u>50,000,000</u>	1993-94 Total Base Budget Plus Local Option Budget

EXAMPLE 3 -- PROPOSED CHANGE

USD ADOPTS LOB RESOLUTION, RESOLUTION IS PROTESTED, VOTERS DISAPPROVE PROPOSED LOB INCREASE

\$ 50,000,000	State Financial Aid (Base Budget) -- Same For Both 1992-93 And 1993-94
5,000,000	10 Percent -- 1992-93 Local Option Budget
6,500,000	13 Percent -- Proposed 1993-94 Local Option Budget
5,000,000	1993-94 LOB
\$ <u>55,000,000</u>	1993-94 Total Base Budget Plus Local Option Budget

Sen. Education
Attachment 3
2/15/93

Proposed Amendment to Senate Bill No. 102

On page 5, by striking all of lines 28 through 40; following line 40, by inserting a new subsection as follows:

"(e) To the extent the provisions of the foregoing subsections conflict with the provisions of this subsection, the provisions of this subsection shall control. The provisions of this subsection apply to any district that has passed and published a resolution authorizing the adoption of a local option budget in accordance with the provisions of this section prior to its amendment by this act and: (1) Either the resolution was not protested, or was protested and an election was held by which the adoption of a local option budget was approved by the electors of the district; (2) the resolution was protested and abandoned; (3) the resolution was protested, an election was held, and the adoption of a local option budget was disapproved by the electors of the district; or (4) either the 30 day period allotted for the filing of a protest petition has not expired, or a protest petition has been filed and an election has been called and is pending. In the case of districts to which provision (1) is applicable, the resolution authorizing the adoption of a local option budget is hereby validated and shall control for the period of time specified in the resolution. No such district may operate under the provisions of the foregoing subsections of this section until the period of time specified in the resolution has expired. Districts to which provision (2) is applicable may operate under the provisions of the foregoing subsections of this section as if no resolution had been passed and published under the provisions of this section prior to its amendment by this act. In the case of districts to which provision (3) is applicable, if a district adopted a local option budget in the 1992-93 school year under authority of this section prior to its amendment by this act, the district may adopt a local option budget in the 1993-94 school year in an amount equal to the

amount of the local option budget adopted in the 1992-93 school year, and if a district was prohibited from adopting a local option budget in the 1992-93 school year by operation of the provisions of this section prior to its amendment by this act, the district may not adopt a local option budget in the 1993-94 school year. In the case of districts to which provision (4) is applicable, the resolution authorizing the adoption of a local option budget may be abandoned and the district may operate under the provisions of the foregoing subsections of this section as if no resolution had been passed and published under the provisions of this section prior to its amendment by this act or the district may proceed with the election, in which case, the results of the election shall control the authority of the district to adopt a local option budget. If the electors approve the adoption of a local option budget in accordance with the resolution, the resolution is hereby validated and shall control for the period of time specified in the resolution. No such district may operate under the provisions of the foregoing subsections of this section until the period of time specified in the resolution has expired. If the electors disapprove the adoption of a local option budget, the district may not adopt a local option budget in the 1993-94 school year. Any such district may operate under the provisions of the foregoing subsections of this section for school years commencing after June 30, 1994.";