

Approved: 2/10/94  
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 8, 1994 in Room 123-S of the Capitol.

All members were present except: Senator Audrey Langworthy (Excused)  
Senator Todd Tiahrt (Excused)

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

Conferees appearing before the committee:  
Senator Don Sallee  
Susan Chase, Kansas National Education Association  
Representative Eugene Shore  
Allaire Homburg, Superintendent, Weskan, USD 242  
James Knox, Superintendent, Louisburg, USD 416  
Phil Johnston, Superintendent, Elkhart, USD 218  
Harold Howard, Superintendent, Caney, USD 436  
Jacque Oakes, Schools for Quality Education

Others attending: See attached list

### SB 601 - School district finance, enrollment and adjusted enrollment applicable to U.S.D. No. 406 and U.S.D. 486 in the 1993-94 school year

Staff explained that the bill would permit the schools at Wathena and Elwood to utilize an adjusted enrollment figure of either September 20, 1992 or September 20, 1993 for the purpose of computing state financial aid for the current school year. The State Department of Education estimates that this would result in an additional 26.3 students for Wathena and an additional 37.7 students for Elwood.

Senator Don Sallee testified in support of SB 601 (Attachment No. 1). He said the bill is designed to assist those schools affected by the 1993 summer flooding.

Susan Chase, Kansas National Education Association, testified in favor of the bill (Attachment No. 2).

Senator Frahm made a motion that SB 601 be recommended favorably for passage. Senator Jones seconded the motion, and the motion carried.

### SB 610 - School districts, pupil count for school finance computations

Staff explained that the bill prohibits the counting of students who reside outside of Kansas for the purposes of computing state aid budget authority for the Kansas district in which they attend school.

The Committee was provided with a chart showing those districts in which students who resident out of state attend Kansas schools (Attachment No. 3), and a letter opposing SB 610 from L. D. Curran, Superintendent of Labette County USD 506 (Attachment No. 4).

Representative Eugene Shore testified in opposition to SB 610 (Attachment No. 5). He said proximity is the major reason why students choose to attend one school over another. He noted that there are approximately the same number of Kansas children attending school across the state line as out-of-state children attending school in Kansas.

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATION, Room 123-S Statehouse, at 1:30 p.m. on February 8, 1994.

Allaire Homburg, Superintendent, Weskan, USD 242, spoke in opposition to the bill (Attachment No. 6). He said it has been a long-standing tradition in his district for some Colorado students to attend Weskan schools, and he feels SB 610 would be a further "loss of local control". Mr. Homburg noted that some of their out-of-state students are children of district employees. He fears that the bill would cause social and economic alienation.

James Knox, Superintendent, Louisburg, USD 416, opposed SB 610 and provided a list of the out-of-state students in his district (Attachment No. 7). Mr. Knox stated that his district is in a growth area and two years ago quit allowing out-of-district enrollments but continued grandfather provisions for current students and family members. He said that all of the out-of-state students in the district have Kansas connections.

Phil Johnston, Superintendent, Elkhart, USD 218, expressed opposition to SB 610 (Attachment No. 8). He said that most of their out-of-state students have parents who are employed in Elkhart and that Elkhart serves the surrounding area (which includes Oklahoma, Texas, New Mexico and Colorado) economically and medically.

Harold Howard, Superintendent, Caney, USD 436, testified in opposition to SB 610 (Attachment No. 9). He said the bill would significantly affect the budgets of many districts and observed that the parents of out-of-state students contribute to the well being of Kansas.

Jacque Oakes, Schools for Quality Education, spoke in opposition to SB 610 (Attachment No. 10). She said that the districts in her association are of the opinion that there are probably a nearly equal number of Kansas children attending school across state lines as out-of-state children attending Kansas schools.

Written testimony opposing the bill was received from Mark Tallman, Kansas Association of School Boards (Attachment No. 11) and Gerald Henderson, United School Administrators of Kansas (Attachment No. 12).

Senator Walker commented that he has been advised by the State Department of Education that neighboring states do not collect information as to the number of out-of-state students enrollment in their districts.

A question was asked whether or not any of the out-of-state students are in special education. Jim Sutton, Superintendent at South Haven, said that he has two students who reside in Oklahoma and are in special education.

The meeting was adjourned at 2:15 p.m. The next meeting is scheduled for February 9, 1994.

SENATE EDUCATION COMMITTEE

TIME: 1:30 PLACE: 123-S DATE: 2/8/94

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Denise Ept	Topeka	USTA
Ken Baker	"	4th Enrollment USD's
Sam Chase	Topeka	RNEA
Mark Price	"	KACC
Gerald W. Wynn	Topeka	USD of KS
Mr. & Mrs. Douglas Boush	Rolla	Morton Co. Commissioner
Alan Steppat	Topeka	PETE McGill & Assoc.
Neil Hays	Roch	USD 217
Bill Light	Rolla	"
Jim Allen	Topeka	KFLC
Patrick Shurley	Topeka	KAC
Alvin Hanks	West Plains	USP #242
Shel Johnston	Elkhart	USD 218
Orlo Homberg	Lawrence	USD #242
Jennifer LaMell	Lawrence	Intern Senator Jones
Jim Donally	Overland Park	USD # 512
Marsha Strick	Lawrence	CWA of Kans.
Rep Eugene Shire		
George Brown	St. Marys	USD 321
James Sutton	South Haven	USD 509
Harold E. Howard	Conway	USD 436
Jim Knox	Honolulu	USD 416
Harold C. Pitts	Topeka	AAKP-COTF

SENATE EDUCATION COMMITTEE

TIME: \_\_\_\_\_ PLACE: \_\_\_\_\_ DATE: \_\_\_\_\_

## GUEST LIST

NAME

ADDRESS

## ORGANIZATION

<u>NAME</u>	<u>ADDRESS</u>
Chas Burnett	Topeka

ORGANIZATION  
US 501 #

Kathy Sexton

11

Div. of BUDGET

Robin Clements

Wichita

Nicholas Public Schools

Kim Perkins

Торек

Intern / Oleen



STATE OF KANSAS

DON SALLEE  
SENATOR, FIRST DISTRICT  
ATCHISON, BROWN, DONIPHAN, JACKSON  
AND POTTAWATOMIE COUNTIES  
R.R. 2  
TROY, KANSAS 66087



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS  
CHAIRMAN: ENERGY AND NATURAL RESOURCES  
CHAIRMAN: JOINT COMMITTEE ON RULES  
AND REGULATIONS  
MEMBER: AGRICULTURE  
ELECTIONS  
TAX  
STATE RULES AND REGULATIONS

February 8, 1994

Honorable Senators Kerr, Chairman, Frahm, Corbin, Emert, Langworth,  
Oleen, Tiahart, Walker, Downey, Hensley, Jones  
Senate Education Committee  
Statehouse  
Topeka, KS 66612

Dear Senators:

I wish to thank you for the opportunity to appear before you concerning  
Senate Bill No. 601.

In requesting Senate Bill 601, I am asking that an adjusted enrollment be  
applied to U.S.D. No. 406 and U.S.D. No. 486 for the 1993-94 school year.

Special treatment for these school districts is requested due  
to effects stemming from the 1993 flood. A number of children  
were not living in the area at enrollment time due to the fact that their  
homes had been damaged or destroyed by the flood.

This bill follows in the footsteps of action taken for the schools in  
Andover, KS following the tornado which devastated that area.

Therefore, I respectfully request favorable action on SB-601.

Don Sallee  
State Senator  
District One

Sen. Ed.  
2/8/94  
Attachment 1



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 W. 10TH STREET / TOPEKA, KANSAS 66612-1686

Susan Chase Testimony Before  
Senate Education Committee  
Tuesday, February 8, 1994

Thank you, Mr. Chairman. I am Susan Chase and I represent Kansas NEA. I appreciate this opportunity to visit with the Senate Education Committee about SB 601, which gives two school districts flexibility because of the floods of last summer.

We support this bill. Kansas NEA was present at the reopening of the Elwood school this January. The spirit of the town and the students was heartening to see. Kansas State Reading Circle of Kansas NEA donated over \$10,000 worth of books to the Elwood library to assist the school in its' recovery. We were happy to assist and hope that the legislature will assist this flood-devastated town by passing SB 601.

Thank you for listening to our concerns.

Revised

Same for  
Committee

		1993-94			
	OUT OF DISTRICT-OUT OF STATE				
	(Students attending KS schools who reside out of state)				
USD #	USD NAME	MISSOURI	OKLAHOMA	COLORADO	NEBRASKA
210	Hugoton Public Schools		4		
212	Northern Valley				1
217	Rolla		18		
218	Elkhart		21	4	
220	Ashland		3		
221	North Central				11
230	Spring Hill	2			
231	Gardner-Edgerton-Antioch	1			
232	De Soto	2			
233	Olathe	1			
234	Fort Scott	8			
237	Smith Center				4
242	Weskan			21	
249	Frontenac Public Schools	8			
250	Pittsburg	7			
255	South Barber		4		
286	Chautauqua Co Community		3		
294	Oberlin				4
297	St Francis Comm Sch			1	
300	Comanche County		2		
317	Hemdon				4
324	Eastern Heights				4
344	Pleasanton	4			
346	Jayhawk	1			
360	Caldwell		6		
361	Anthony-Harper		1		
362	Prairie View	2			
404	Riverton	3	2		
406	Wathena	7			
416	Louisburg	23			
427	Belleville				1
436	Caney Valley		32		
441	Sabetha				2
445	Coffeyville		15		
446	Independence		1		
452	Stanton County			3	
470	Arkansas City		11		
471	Dexter		9		
480	Liberal		5		
486	Elwood	23			
488	Axtell				5
499	Galena	2			
505	Chetopa		10		
506	Labette County		32		
508	Baxter Springs	4	12		
509	South Haven		15		
512	Shawnee Mission Pub Sch	2			
		100	206	29	36
	State Total =	371			
Data was successfully collected from all 304 Kansas school districts.					
Revised 12/16/93					
Information provided by the Kansas State Board of Education, LEA Finance Team.					

Sen. Ed.  
7/8/94  
Attachment 3

Labette County  
UNIFIED SCHOOL DISTRICT No. 506

L. D. CURRAN  
Superintendent  
STAN WILKINS  
Asst. Superintendent

BOARD OF EDUCATION  
521 S. Huston, P. O. Box 188  
Altamont, Kansas 67330  
316-784-5326 FAX: 316-784-5879

February 4, 1994

BOARD OF EDUCATION  
KEN GRAVES, *President*  
LEON ALLEN, *Vice-President*  
RAYMOND BAUGHER  
MIKE FINLEY  
RON McMUNN  
BILL OWENS  
RICHARD TUCKER

Senator Dave Kerr, Chairman  
Senate Education Committee  
Statehouse  
Topeka, KS 66612

Dear Senator Kerr:

This note is to express my concern relative to the provisions of Senate Bill 610.

Labette County U.S.D. 506 has 32 youngsters from Oklahoma, which if pulled from our funding would create a difficulty in the finances of our school.

These 32 youngsters are scattered through grades K-12, which would not allow us to decrease staff if we were to deny them access to our school.

I recognize that it is difficult to offer an argument relative to why Oklahoma students should be funded in Kansas schools. However, one has to recognize several things.

1. The U.S.D. 506 district lines share 20 miles with the Oklahoma line.
2. Many of the parents of students who attend our school either work in Kansas (our community) or own land and farm in our community. (In fact, there are cases where the parents work for the school district.)

Some of these parents live on the south side of the road which serves as the Kansas-Oklahoma line, and own land and farm in Kansas.

Fortunately or unfortunately, the trade area of the small towns in our district does not end with the state line. The trade area of Bartlett and Edna, for example, goes deep into Oklahoma. Therefore, many of these people come into the district and town to trade.

Jen. Ed.  
2/8/94

Attachment 4



Senator Dave Kerr  
Page 2  
February 4, 1994

3. In some cases, in accordance with the Kansas residency laws, the parents could send their youngster to a grandparent or relative in our district and claim school residency, but such cases create questionable tactics on the part of the parent.
4. Fortunately or unfortunately, the programming that we have at the Labette County High School and in some part at our elementary schools encourages area students to attend our schools.

It is my opinion that continuing to include the out-of-state student in the funding count is more than offset by the trade, taxes and business brought into Kansas by the parents of these students.

I would encourage you to oppose the provisions of Senate Bill 610 which would eliminate out-of-district or out-of-state students from the funding count.

Thank you for your consideration on this matter.

Sincerely,



L. D. Curran  
Superintendent

LDC:bb

EUGENE L. SHORE  
 REPRESENTATIVE, 124TH DISTRICT  
 GRANT, W. HASKELL, MORTON,  
 STANTON AND STEVENS COUNTIES

ROOM 446-N, CAPITOL BLDG.  
 TOPEKA, KANSAS 66612-1504  
 (913) 296-7677



TOPEKA

HOUSE OF  
 REPRESENTATIVES

CHAIRMAN: AGRICULTURE  
 MEMBER: ENERGY AND NATURAL RESOURCES  
 TRANSPORTATION

TESTIMONY ON SB 610

Senate Education Committee  
 February 8, 1994  
 Representative Eugene Shore

Mr. Chairman and members of the committee. I thank you for allowing me to testify in opposition to SB 610.

There are many reasons for students to attend Kansas schools who live outside of the state. In Elkhart there are 29 students attending the Elkhart school system who live out of Kansas, Rolla has 22, Hugoton 4. These students come from Oklahoma and Colorado. This is a sparsely populated area and distance to school is the main reason students choose to attend out-of-state. Similar situations occur in the Rolla and Hugoton school districts. The Stanton County school district does not currently have out-of-state students, but in most years they have one or two out-of-state students.

It is interesting in Elkhart's case that 37 students who live in Kansas attend school in Yarborough, Oklahoma. This is a country school several miles south of Elkhart in the Oklahoma panhandle. While I don't know all the reasons one school is chosen over another, it appears about a wash so far as the education facility is concerned. Oklahoma is educating 37 Kansas students and Kansas is educating 29 Oklahoma and Colorado students.

I visited with a former school superintendent from the Oklahoma panhandle, Dr. Phil Knight, who is now the Superintendent at Ulysses, about how the schools worked the costs out. He said in the past the two school boards would meet every few years and discuss the numbers of students which were attending each school. They simply had a gentleman's agreement that unless it was terribly lop-sided, they would count the students where they attended because economies were similar and most people paid taxes in both states. I asked why students went one way or the other and his reply was for many reasons, some personal, some distance and some scholastic. The cost of educating a pupil in the Oklahoma panhandle is about \$5000.

When we had local control, this was a non-issue. If we still have local control, it should be an issue to take care of in the local school districts. I am concerned since both the Wichita Eagle and the Daily Oklahoman are writing editorials about the perceived problem. There is usually a logical reason for people to send their children to a school out-of-state. This is an appropriate issue to study, but I don't believe it is something we should change.

Thank you for your attention. I'd be happy to respond to questions.

SENATE EDUCATION COMMITTEE HEARING  
ALLAIRE T. HOMBURG, TESTIMONY  
FEBRUARY 8, 1994

I bring you greetings from Weskan, Unified School District No. 242. We are a 243 square mile unified school district on the Kansas-Colorado border. We share a 25 mile border with Colorado. There is no wall between our two states, in fact, there are places it is difficult to find a fence to separate us from Colorado.

I would like to include as a part of my testimony, the testimony that I gave two years ago when you had joint hearings on the new school finance bill. I would like to remind you that at that time, and since, many of us feared a "loss of local control". If you pass this bill our worst fears will be realized...We were educating Colorado students prior to the passage of the 1992 school finance bill and we have simply continued what has been going on for all our existence.

Weskan has always had out-of-state students. Whether or not a student was a Kansas resident was not an issue prior to the change to a uniform mil levy, which bases the school budget on the number of students. Our concern was, and is, that when Topeka controls the finances, we have indeed lost local control.

The potential economic impact of alienating our western neighbors could be severe. Colorado grain is hauled to Kansas elevators and fed to Kansas beef in Kansas feed lots.

Of the 21 students listed as attending school in Weskan, six of them are children of employees (two teachers and one cook), two are in foster homes in which the foster parents felt the students would be better served in a smaller school than they would attend in Colorado, three belong to a minister that serves in the Community Church in Arapahoe, Colorado (approximately seven miles away and some of his parishioners live in the Weskan community).

The Weskan community extends into Colorado as evidenced by the number of people from Weskan that attend Arapahoe, Colorado community functions and vice versa. Our friendships and families do not stop at the border. A number of students in Weskan have grandparents and other relatives that reside in Colorado.

SENATE EDUCATION COMMITTEE HEARING  
ALLAIRE T. HOMBURG, TESTIMONY  
FEBRUARY 8, 1994  
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Prior to the start of the school year we did not try to get students to attend school in Weskan that live in Colorado. We do however continue to let students cross the border to attend school at Weskan, as we always have. Our Colorado students for the most part have never attended school anywhere but in Weskan. A number of our graduates from Colorado have attended colleges and universities in Kansas to further their education.

We appreciate the fact that Senate Bill 610 appears to want to reduce Kansas costs for education. However, this bill has a far greater possibility of doing far more harm than good. We urge you to kill this bill in committee due to the harm it would do to the economy of many small communities.

Thank you for your time and consideration.



ALLAIRE T. HOMBURG, TESTIMONY  
LEGISLATIVE HEARING  
FEBRUARY 13, 1992

Ladies and Gentlemen, Honorable Members of the Legislature, esteemed Colleagues: I would like to thank you for this opportunity to visit with you.

My name is Allaire Homburg, Superintendent and Principal of Schools, Weskan Unified School District No. 242. In order to explain to you where I am coming from, perhaps I should tell you about where I come from.

Weskan Unified School District No. 242 is a school district located at the western edge of Kansas. In the time that it takes us to drive to Topeka, we can drive to Denver, Colorado and back home again.

Our school building located in the town of Weskan, is four miles from the Colorado border. We are in Wallace County and are privileged to have within our district boundaries, Mt. Sunflower, the highest point in Kansas.

Our district is 243 square miles. The school, elementary and high school both, have a F.T.E. of 103.5 students. Our general fund budget for 1991-92 is \$733,000.00, with a mill levy of 61.55. We have 15 teachers (Kindergarten through Grade 12), and one administrator.

Weskan High School has an excellent curriculum, dedicated teachers, and a very talented and well-behaved 31 member student body. We have students graduate with as many as six units of science, four units of math, and three units of computers. We received first and second in the outstanding projects award at the Small and Rural Schools Conference at Kansas State University in 1990-91 for our science projects.

The school offers over thirty units of credit each year and a full range of extra-curricular activities. In athletics we offer football, volleyball, girls and boys basketball, and girls and boys track. We placed fourth at the state in 1990 in boys basketball. We offer quiz bowl, forensics, and music, and we have competed and fared well in both forensics and music at the state level. This past year in music we received 26 gold metals at State Music Contest. Of the 31 students in high school 21 of them are in our show choir.



Allaire T. Homburg, Testimony  
Page 2

I tell you this because I want to impress upon you the fact that we and many schools like us are graduating well-rounded successful young people. We had nine graduates in 1991. All nine have gone on to post high school education. Those nine students earned \$38,850.00 in scholarships. One is enrolled at Brown Mackie, one at Washburn University, one at McPherson College, three at Kansas State University, and three at Colby Community College.

The vast majority of our students go on to institutions of higher learning. Our graduation rate is well over 90 percent. In fact, we have had only one drop out in the past twenty years. This is proof that the small rural schools in Kansas, and this nation, are doing an outstanding job. We are able to do this excellent job because we are small, and we have the support of our communities!

I feel that small schools are vital to the education in Kansas and our nation. Education is the most important business in our state as well as our nation. If we are going to survive as a state, and as a nation, we must continue to graduate young people that have the educational equipment needed so that they can be contributing members and leaders in our society. The small schools are an insurance factor in this educational success.

Next I would like to address the issue of the 45 state wide property tax levy. The 45 mil levy is artificially low. You all know that in order for education to be funded at its current level, you instead will need a 58 plus mil levy. A realistic figure for next year would be over 60 mils, with even higher levies to come in the following years. If the people of Kansas realized this, there would be even more opposition to this rather socialistic proposal.

Another major concern with this mil levy proposal is the loss of local control. School districts exist because the state of Kansas allows them to exist. I would also like to point out that townships, counties, and cities exist for the same reason. The reason that the local units of government are allowed to exist is: it is the "will of the people". Our founding fathers had the foresight to see that local control is essential to good government as a government "By the People".



Allaire T. Homburg, Testimony  
Page 3

Larger though is not inherently better in any form of government and this is especially so in school districts. The state government has allowed us to exist (in our case for over 70 years). I ask you to allow us to continue to exist. Remove the hatchet placed above our necks by recognizing that rural Kansas is essential for the well-being of Kansas.

Furthermore I believe it is also time that we all are held more accountable. Legislators you must realize that you have contributed to our problems. Last year with the passage of Senate Bill 26 the legislature redefined District Wealth so that now it is 100 percent of assessed valuation and 24 percent of the state income tax paid. I submit to you that you are adding apples and bananas and getting coconuts. If one half of district wealth is the assessed valuation, then the other half should be 100 percent of the income! Not 24 percent of the income taxes paid. It is time you took upon yourselves the responsibility for putting the additional burden property tax upon us with the last year's passage of Senate Bill 26. The executive branch should also admit to contributing to the property tax burden by vetoing the bill that would have lessened the property tax burden by raising the sales and income tax.

I think it is time that the Kansas government quit playing politics with education. Dollars spent per pupil is no measure of equality in education. If equality means that all our schools have to be so large that individual students have a smaller chance of success, or if it means we need to have a student population that necessitates having armed guards and metal detectors at school entrances, or if it further means we should all have high drop out percentages, then we don't want equality. What we want instead is an opportunity to continue improving the excellent job of educating that we are doing in our small schools.

I would like you to consider a state-wide maximum mil levy of 45 mils, with the addition of state aid for the amount of money needed to adequately fund the local school district budgets. For example, in our district we would pay a 45 mil levy locally and would receive approximately 16.55 mils of state aid.



Allaire T. Homburg, Testimony  
Page 4

Let me further say a few additional things about Weskan. Our community has one paved road and an unpaved school parking lot. Our students and teachers leave their cars unlocked, their lockers unlocked, and homes unlocked. We have no drug or alcohol problems. We have instead a very talented and concerned faculty that has made the choice to stay at Weskan, even though it may mean less money. They stay because they believe in what we are doing, and know that they have community support.

I ask you, then why should we be forced to give this up, so that our young people would be forced to spend hours on a school bus to attend crowded classrooms miles away?

If bigger is better, why then are there only 40 Kansas State Senators, and 125 members of the House of Representative? Why not 400, or 4,000, or 40,000? How can anyone be critical of the money spent on education, when we are spending over \$9,000 per prison inmate in Kansas.

Finally, how can anyone question school district costs when the legislature has approved over \$400,000.00 in funding for Kansas Inc; whose only function this past year appears to be exploring the need to consolidate local governmental agencies.

Surely through communication, understanding, and cooperation we can arrive at an equitable solution that doesn't harm anyone. These young people we are educating today will determine our future as well as theirs! Heaven help us if the young people we are educating now believe that bigger is better. Will we someday all have to be bussed to one centrally located long term care facility or senior center?

**LOUISBURG UNIFIED SCHOOL DISTRICT 416**  
**LOUISBURG, KANSAS**

**OUT OF STATE ENROLLMENT**  
**1993-1994**

1.	Chris Noyes	Cleveland, MO.	Circle Grove	1	(father employed in Kansas)
2.	Dana Noyes	Cleveland, MO.	Circle Grove	2	(father employed in Kansas)
3.	Travis Schoech	Cleveland, MO	Circle Grove	3	
4.	Donny Jones	Cleveland, MO.	Circle Grove	4	
* 5.	Mattie Brown	Cleveland, MO.	LEMS	K	(Parents attended Louisburg)
* 6.	Olivia Brown	Cleveland, MO.	LEMS	K	(Parents attended Louisburg)
7.	Kylee Coffman	Cleveland, MO	LEMS	K	
8.	Ashley Swenson	Cleveland, MO	LEMS	K	
9.	Kellee Coffman	Cleveland, MO	LEMS	2	
10.	Melissa Mason	Cleveland, MO	LEMS	5	
11.	James Kinney	Cleveland, MO	LEMS	6	
* 12.	Lauren Brown	Cleveland, MO	LEMS	7	(Parents attended Louisburg)
* 13.	Andrea Cruce	Drexel, MO	LEMS	7	(Parents/teachers Louisburg)
14.	Dale Carlson	Cleveland, MO	LEMS	8	(BOE Member Cass Midway)
15.	Kris Downs	Cleveland, MO	LEMS	8	
16.	Tiffany Hill	Drexel, MO	LEMS	8	(Mother teacher at Louisburg)
17.	Mark Rushton	Cleveland, MO	LHS	9	
18.	Wendy Wiseman	Cleveland, MO	LHS	9.	
19.	David Carlson	Cleveland, MO	LHS	10	(BOE Member Cass Midway)
20.	Katie Mason	Cleveland, MO.	LHS	10	
**21.	Neal Moody	Grandview, MO	LHS	11	(Mother lives in Louisburg)
22.	Warren Wiseman	Cleveland, MO	LHS	11	
* 23.	Davin Billingsley	Drexel, MO	LHS	12	(Parents lived in Louisburg)

*Sen. Ed.*  
*2/8/94*  
*Attachment 7*

**SENATE EDUCATION COMMITTEE HEARING - SB 610**  
**Phil Johnston, Superintendent, USD #218 Testimony**  
**February 8, 1994**

Members of the Senate Education Committee, I wish to thank you for this opportunity to speak on the behalf of the Board of Education of USD #218, Elkhart, in opposition to Senate Bill 610.

Elkhart is located in Morton County in the farther most southwestern corner of Kansas. Bordered on the west by Colorado and on the south by Oklahoma. The south city limits of Elkhart, the south county line, the south school district boundary and the Oklahoma state line are all one and the same. The western county line, the western school district boundary and the Colorado state line are all one and the same. Elkhart is seven miles from the Colorado state line.

Morton County is sparsely populated and Elkhart is geographically isolated from any urban and cultural centers. We are closer to the capitols of four other states than we are to our own capitol of Topeka. Amarillo, TX , 150 miles south, is the nearest large center, Wichita is 278 miles east and Topeka is 445 miles away. I have attached a copy of a map for you to use to locate Elkhart in relationship to the rest of the state.

The tax rate for USD #218 is 33 mills in the general fund, 7.77 mills in LOB and 4 mills in capital outlay. Our total budget is \$2,950,920. of which \$1,276,379 is state aid. Our FTE is 528.5 students with a weighted enrollment of 819.2 students. There has been a steady decline in our enrollment over the last several years with an unexpected drop from the 92/93 school year of 24.5 students. The loss of those 24.5 students clearly and adversely affected our budget authority; under the new school finance act.

At present, of those 528.5 FTE in USD #218, 30 are from outside the Kansas borders. Twenty six are living on the Oklahoma side of the state line road and four come in from Colorado. Those 30 children represent 18 families and of those families only the parents of 5 families do not work in Elkhart and do not receive their mail at the Elkhart post office thus giving the the majority an Elkhart address. The parents of one family owns the only pharmacy in Elkhart. Our high school principal lives in a home on the south side of state line road and his son attends Elkhart High School. Our teacher in the gifted program is required by her husband's employer to live in Oklahoma. They have four children attending school in Elkhart. He is employed by Anadarko Production Co. and must live close to the plant where he works. These are just some of the examples of the families who live on the other side of state line road.

*Sen. Ed.*  
*2/8/94*  
*Attachment 8*



Testimony  
Phil Johnston  
SB 610  
page 2

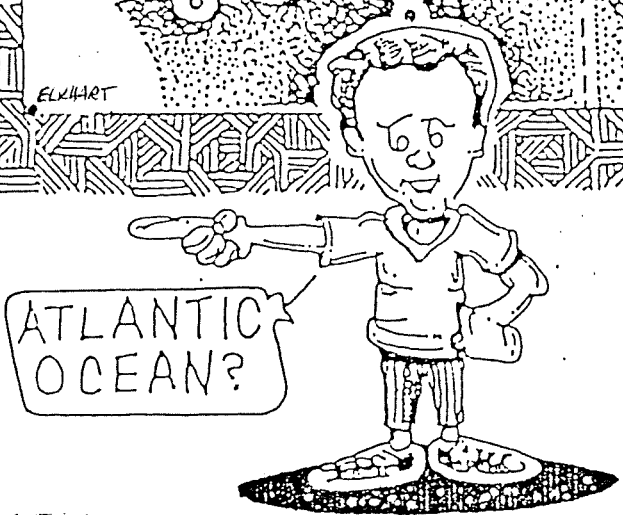
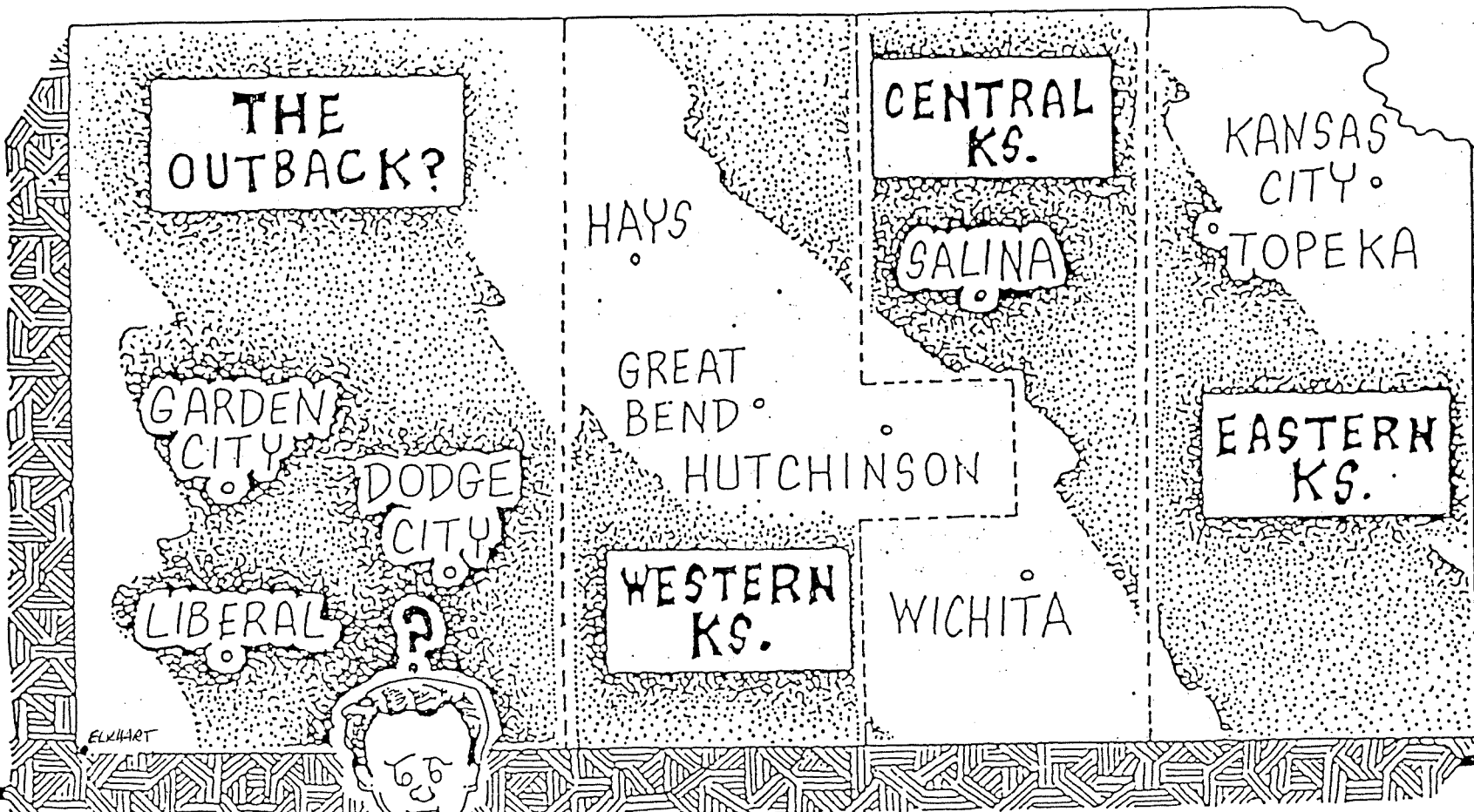
Since the very earliest of times Elkhart has served the southwest corner of Kansas, the three counties in the Oklahoma panhandle, some of the population of the north Texas panhandle, north eastern New Mexico and southwestern Colorado. Elkhart has served as the economic center for purchases of groceries, farming supplies, and in recent years as the medical center. Children from all these areas have always attended school in Elkhart and many of the adults still living in these areas are alumni of Elkhart High School.

I would like to expand, if I might, on the statement of Elkhart as a medical center. Elkhart boasts of a 36 bed hospital, a 40 bed care center for the elderly, a medical clinic staffed by five physicians, and there are two dentists in Elkhart. The very latest in surgical procedures and x-ray capabilities are performed by the medical staff at Morton County Hospital. Illness knows no state lines and people are received from the five state area as patients of the Morton County health facilities.

I mention Elkhart as an economic and medical center only to point out, that though the parents of the children attending Elkhart schools and living in Oklahoma and Colorado may not own any real property in Kansas, they certainly contribute to the taxing structure of our state by virtue of their shopping practices and the use of our medical facilities.

The Board of Education of USD #218 understands and appreciates the continuing efforts of it's legislature in their attempt to reduce the cost of education across our great state. However, this bill, raising approximately two million dollars, appears to be an attempt at trying to solve a long term problem with a short term solution, kind of like the little boy who stuck his finger in the hole in the dam. This bill will likely do greater harm than good, particularly in the already damaged relationship of the rural vs. urban Kansas population.

Would USD #218 turn away the students from Oklahoma and Colorado if the district did not receive the base amount of \$3,600.00? Absolutely not!!! Elkhart will continue to do what is best for the children in this area; out of state or not. We hope that you can understand our situation in this instance and kill this bill, taking into consideration the effects it would have on the children's educational program living in this geographically isolated area.



THE CURRENT STATE OF  
GEOGRAPHY IN KANSAS  
(CIRCA 1987)

GARDEN CITY TELEGRAM '87 ©

ALVIN SCHULTZ

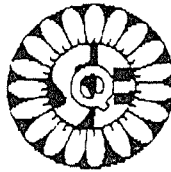
SENATE EDUCATION COMMITTEE HEARING  
HAROLD E. HOWARD, TESTIMONY  
FEBRUARY 8, 1994

I am speaking in opposition to Senate Bill 610, which disallows counting out of state students for budget computation. In your deliberation of this bill please take into consideration the following factors:

1. Senate Bill 610 would significantly affect many districts' budgets adversely.
2. Many parents of border students own property and/or businesses in Kansas.
3. Many students actually live closer to Kansas schools than to schools in the other state.
4. Many families consider the closer Kansas community their home community. They work, shop, and participate in recreational activities in Kansas communities.
5. Many Kansas students attend out of state schools.

I feel it is safe to say that families whose children attend Kansas schools bring a significant amount of revenue to our state. Parents of border students should continue to have the choice of where their students attend school.

In consideration of the factors mentioned please allow the continuation of choice by families and the counting of these students for budget computation.



## **Schools for Quality Education**

Bluemont Hall    Manhattan, KS 66508    (913) 532-5886

February 8, 1994

To: Senate Committee on Education

Subject: SB 610 -- School Districts, Pupil Count for School  
Finance Computations

From: SCHOOLS FOR QUALITY EDUCATION

Mr. Chairman and Members of the Committee:

I am Jacque Oakes representing Schools For Quality Education, an organization of 102 small school districts.

We are appearing in opposition to SB 610 which would allow only students in a sending district to be counted for the purpose of computation under the school district finance and quality performance act.

We believe there are many circumstances that explain why out-of-state pupils are attending Kansas schools. These are all schools along our borders. I phoned several of our member districts to find their reasons for admitting these kids. In most cases, Kansas schools were closer to their family home than was their own state school district. In several cases, the parents were either teachers or employees of the district or worked at other jobs in that community. One teacher had taught for ten years. Many families crossed the line to shop in Kansas at the local grocery store or gas station paying Kansas sales tax. In some circumstances, parents farmed in two states, owned farm land in Kansas, paid Kansas property taxes, and stored grain in local co-ops. One district mentioned that border towns constantly have people moving across state lines. Those kids need to be in school somewhere, and they believe that just because their districts are on the border they should not be penalized.

All of the districts that I called stated that Kansas kids were also crossing the state lines to other states and that probably, if some measurement could be taken, it would be equal as to money spent.

We also have a general concern as to whether this Bill would be establishing a new policy as to the recognized way of funding pupils who move from district to district within the state. We believe that the present method is working very well.

Thank you for your time and attention. Please oppose SB 610.

**"Rural is Quality"**

Sen. Ed.  
4/8/94  
Attachment 10



**Testimony on S.B. 610 Before the Senate Committee on Education  
By Mark Tallman, Director of Governmental Relations**

**February 8, 1994**

Mr. Chairman, Member of the Committee,

The Kansas Association of School Boards is opposed to the passage of S.B. 610. As we understand the bill, it would effectively require written agreements between school districts to provide for state financial aid (base budget) authority for Kansas students attending school in a district that is not their place of residence. It would further eliminate base state aid for students who are not residents of Kansas.

We are concerned that the first provision would create new levels of paperwork in a system that provides a great deal of choice in students and families, and does not need to be corrected. We believe the second provision would invite retaliatory action by other states, which could well cancel out any financial benefit to the state, at the cost of disrupting long-standing relations at the borders. In short, we do not believe there is a problem here that needs to be fixed. If there is, we do not believe that this is the way to do it.

Thank you for your consideration.





## SB 610

Written testimony presented to the Senate Committee on Education  
by Gerald W. Henderson, Executive Director  
United School Administrators of Kansas  
February 8, 1994

Mister Chairman and Members of the Committee:

United School Administrators of Kansas appreciates the fact that **SB 610** has at its center the controlling of education costs in Kansas. However, it is our belief that the bill has the potential of causing more problems than it solves. Testimony from several of my members which you heard today coupled with the letters I know you have received from at least one of my members, Superintendent L.D. Curran from Labette County, illustrate this possibility. Most of the people from across our borders who send their children to Kansas schools pay sales tax or income tax or property tax in our state. Many pay all three as indicated in the testimony you have heard. Effectively denying children of these people access to Kansas schools by excluding them from September 20 student counts has the probability of creating tremendous problems for the school districts involved.

At a time when much of the country is debating over vouchers and other tools of educational choice, Kansas has established a good record of allowing families to chose the public school which best serves their needs. The former and current finance formulae encourage this type of flexibility by allowing the schools which educate the children to receive funding assistance. **SB 610** would effectively remove this flexibility.

Finally, do we know the impact of denying the ability to count out-of-state children who attend our schools? How many Kansas children are attending schools in neighboring states? Are they counted for school finance purposes? Until we know the answers to these and other questions presented in testimony today, we would encourage the committee to reject the provisions of **SB 610**.

LEG/SB610

Sen. Ed.  
2/8/94

Attachment 12