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Thursday, March 8, 2018
Education Committee
Neutral Testimony on HB 2561

Good afternoon, Mr. Chairman and fellow colleagues of the K-12 Budget Committee. I am before you today as a neutral conferee of HB2561. If this bill were amended favorably, I would be a proponent.

I sponsored a bill earlier this year to address a safety issue that was identified by several of my constituents over this past summer. The bill is HB 2485, and was heard in Education Committee. While I believe I had the votes to get the bill out of committee, I agreed to wait and address the issue in the K-12 Education committee to assure all bussing issues were dealt with at the same time.

This issue first arose when a group of constituents approached me over the summer. The neighborhood is newer and is somewhat rural in relation to most of the school district. This means the residents are surrounded by very dangerous, high speed limit roads that have neither sidewalks or shoulders. The dangerous roads separate the neighborhood from the school and are the entire route.

When my constituents purchased their homes, they lived far enough away from the assigned grade school that safe transportation was provided. Recently, the neighborhood children were transferred to a different grade school. One-half of the neighborhood is now under the 2.5-mile radius and safe transportation is no longer provided. The other half of the closed circle neighborhood is provided free, safe bussing. The pay-for students now pay a fee of approximately \$400 for safe transportation on the same bus as the other, free, students.

They asked me to help based on the following facts:

1. They purchased their homes with free, safe transportation and they chose the neighborhood knowing which school their children would attend.
2. They were forced to move schools.
3. We recently raised their income tax to pay for schools.
4. Their property tax has increased dramatically.
5. Pay-for bussing comes into the home buying decision and may affect sales.

6. In addition to an increase in taxes, these people are now being asked to pay a fee for safe transportation.
7. The neighborhood is a closed loop. The buses that serve students “free” also drive by students who must “pay”, and they have plenty of room on them. Most importantly, there is NO SAFE walking route for their children to self-commute to school.

As I considered the issue, and the neighborhood began to talk, I received calls from others in the Stilwell area that are concerned for the same reasons. As I researched, I became increasingly concerned. In addition to dangerous roads, the children must cross busy bridges and dangerous railroad tracks. I have attached pictures.

As a common-sense legislator, I just knew the school district would step up and help these people. I explained they had a perception issue and I advised them to make an exception for one year while we looked for a long-term solution. After many attempts and a lot of back and forth, they determined that this move would cost them too much and they could not help, not even for one year.

As the President of my Home Owner Association, I occasionally rent buses. When I do, the busing company charges me the same for the bus, no matter how many individuals use it. We pay the same cost for 10 people as we do for 30 people. I asked the school district if this is how it works for them. The answer was that it would not cost them any additional funds to pick up the children and provide them with safe transportation. Unfortunately, they view busing fees as an additional revenue source. They would rather continue to bill for these children, just because they can.

With the Education Budget still looming, It is very possible we will, once again, break the budget. Therefore, I knew we could not put a state-funded solution together. Also, knowing this school district and the KASB will adamantly fight against anything that will cause the schools to spend dollars, I knew the bill could not cause an increase in cost. The Reviser and I came up with what I thought would be a common-sense solution that would be a compromise and still help keep the children safe. This brings me to the current bill. I have attached it for your reference.

As you can see, the bill was very carefully crafted to be budget neutral, and only responds in the following circumstances:

1. The child lives under 2.5 miles and is a pay-for rider.
2. The child does not have a safe way to commute. This is defined in the bill as either a 25-mph speed limit, or sidewalks and the children do not have to cross railroad tracks.
3. THERE IS ROOM ON A BUS THAT IS ALREADY PAID FOR.

In the hearing, the KASB testified against this. This time, however, they are not fighting it because it increases cost, but because it removes a possible revenue source. They will once again argue that a part of the formula does not cover the entire cost of transportation, not unlike their other arguments on most issue so far. HOWEVER, on the other hand, they will not allow us to dictate that the districts actually spend the dollars in direct proportion to the way the new k-12 finance formula is calculated. In

fact, we have discovered many areas this year that they are NOT spending the dollars as the funding formula allocates.

The simple fact is, most of school districts already bus all their children for no cost because it is the right thing to do. I would argue this is one of the reasons we are currently applying a density factor for larger, densely populated areas. This is the most concerning part of this issue. By adhering to this policy, it appears that the state has taken this sort of thing into account and has been attempting to fund these districts. The district in question is fighting this change, has received much more in additional funds than this change will cost them in lost revenue. I remind you the cost is because they will no longer be able to bill these children for safe transportation. In my opinion, the act of billing these families constitutes double billing. If I were one of these families, or any other pay-for family, I would certainly be concerned that I have been paying for transportation for which the state has already made appropriations, whether they will be deemed legal, or not. Considering these recent findings, I would suggest this bill be retroactive and the funds be returned to the families for the current year.

Mr. Chair, committee members, thank you for your consideration today. I ask that you amend HB 2561 to allow for the safe bussing of children that do not otherwise have a safe route to self-commute.

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