

Approved: 2.26.10  
Date

## MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 9:00 a.m. on February 11, 2010, in Room 711 of the Docking State Office Building.

All members were present except:

Representative Lana Gordon- excused

Committee staff present:

Theresa Kiernan, Office of the Revisor of Statutes  
Reagan Cussimano, Kansas Legislative Research Department  
Sharon Wenger, Kansas Legislative Research Department  
Dale Dennis, Kansas State Department of Education  
Janet Henning, Committee Assistant

Conferees appearing before the Committee:

Mark Tallman, Kansas Association of School Boards  
Bill Reardon, Kansas City, Kansas Schools

### **HB 2601 - Schools; high density at-risk pupil weighting; linear transition computation.**

Chairman Aurand reopened the hearing on **HB 2601**. Chairman Aurand told Committee members that he wanted them to have a clear understanding of what HB 2601 was about. He told Committee members that it was his main goal to do this in a fair way so that everyone would understand that the main goal is the policy of trying to do a linear transition from what we currently have. Chairman Aurand requested, if no objection, that Dale Dennis, Kansas Department of Education, give an explanation so that Committee members can understand what the attempt will be.

Representative Loganbill objected and requested the bill be heard in its entirety.

Chairman Aurand gave a brief explanation of the bill to Committee members and offered a potential amendment which should be added to the bill.

Representative Aurand presented two charts: one showing current law and a second showing his proposed amendment. (Attachments 1 and 2)

Representative Aurand told Committee members that his proposed amendment would move to a linear transition from 35 percent to just over 50 percent and increase those with 50 percent to a weighting of 10.5. The second proposed amendment is that this would not take effect until such time as the legislature fund the statutory amount that is required by law.

A question and answer session followed the presentation.

Mark Tallman, Kansas Association of School Boards (KASB), spoke to Committee members that KASB has always agreed this would be better handled by linear transition. He emphasized that when additional cuts are a possibility without increased state revenue, KASB does not believe the state should be imposing additional cuts by weighting changes, especially from at-risk funds. (Attachment 3)

Bill Reardon, Kansas City, Kansas Public Schools, spoke to Committee members that the original bill as written, would have benefitted the Kansas City school district dramatically because they have the highest percentage of at-risk students in their district more than any others. He advised he wasn't comfortable advocating for a bill which really helped his district but at the expense of other districts.

After a brief discussion, Chairman Aurand closed the hearing on **HB 2601**.

### **HB 2595 - School districts; of students residing outside the district.**

Chairman Aurand told Committee members that **HB 2595** was the bill recently heard and there

CONTINUATION SHEET

Minutes of the House Education Committee at 9:00 a.m. on February 11, 2010, in Room 711 of the Docking State Office Building.

was some concern with the language. He advised there is an amendment was trying to reflect some of concerns the Committee had at the time of the hearing.

Theresa Kiernan gave an explanation of the balloon amendment for **HB 2595**. (Attachment 4)

Chairman Aurand moved to accept the balloon amendment for **HB 2595**. The motion was seconded by Representative Neufeld. The motion carried.

A brief discussion of the balloon amendment for **HB 2595** occurred.

Representative Neufeld made the motion for the Revisor to clarify the proposed clean-up so as not to change policy. The motion was seconded by Representative Horst. The motion carried.

After further discussion of **HB 2595**, Chairman Aurand told Committee members that further debate of **HB 2595** and the balloon amendment was going to be suspended.

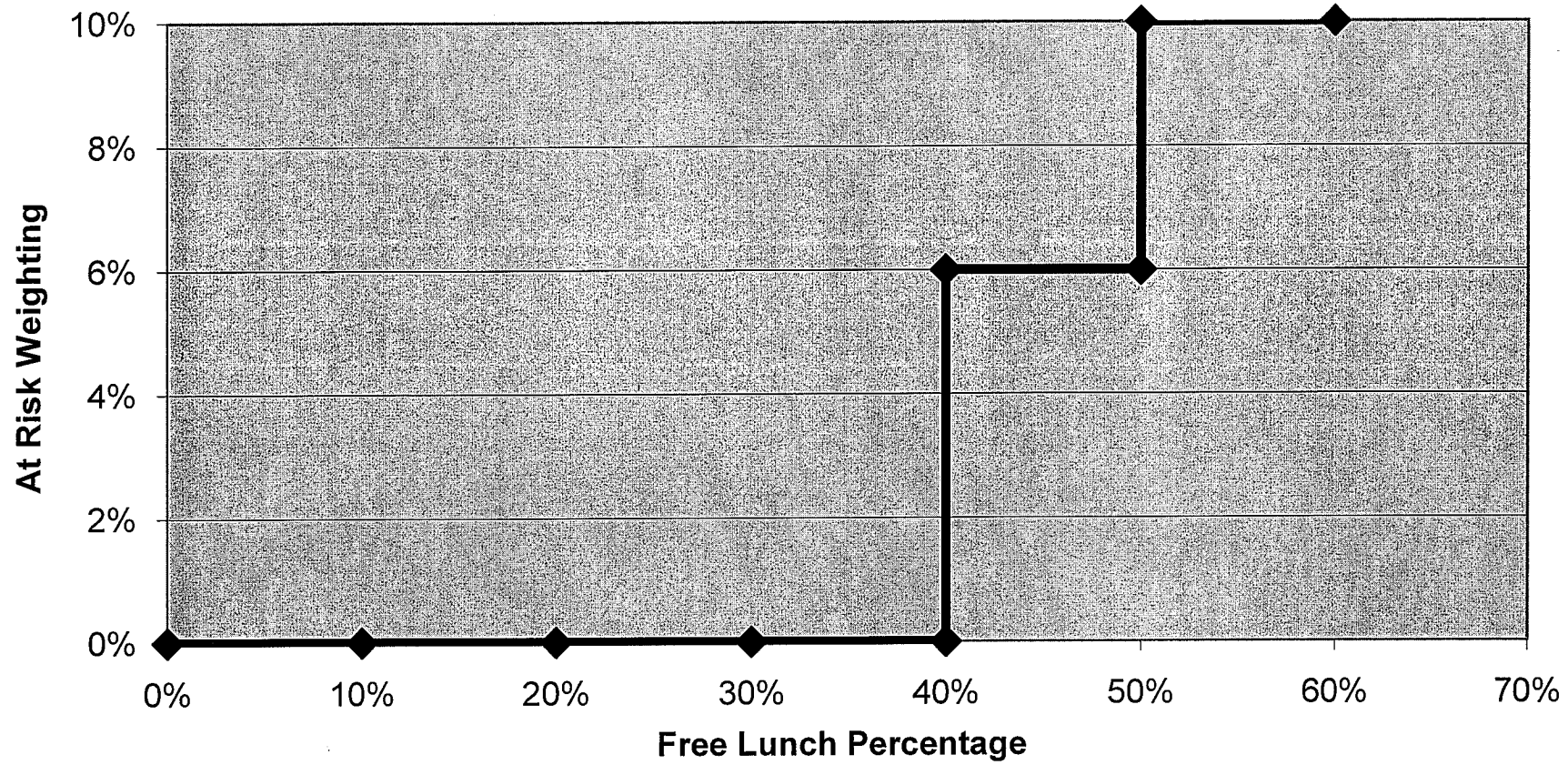
**HB 2539 - School districts; supplemental general state aid; litigation.**

Chairman Aurand moved to send **HB 2539** out without recommendation to the House Floor because it needs further discussion. Representative Neufeld seconded the motion.

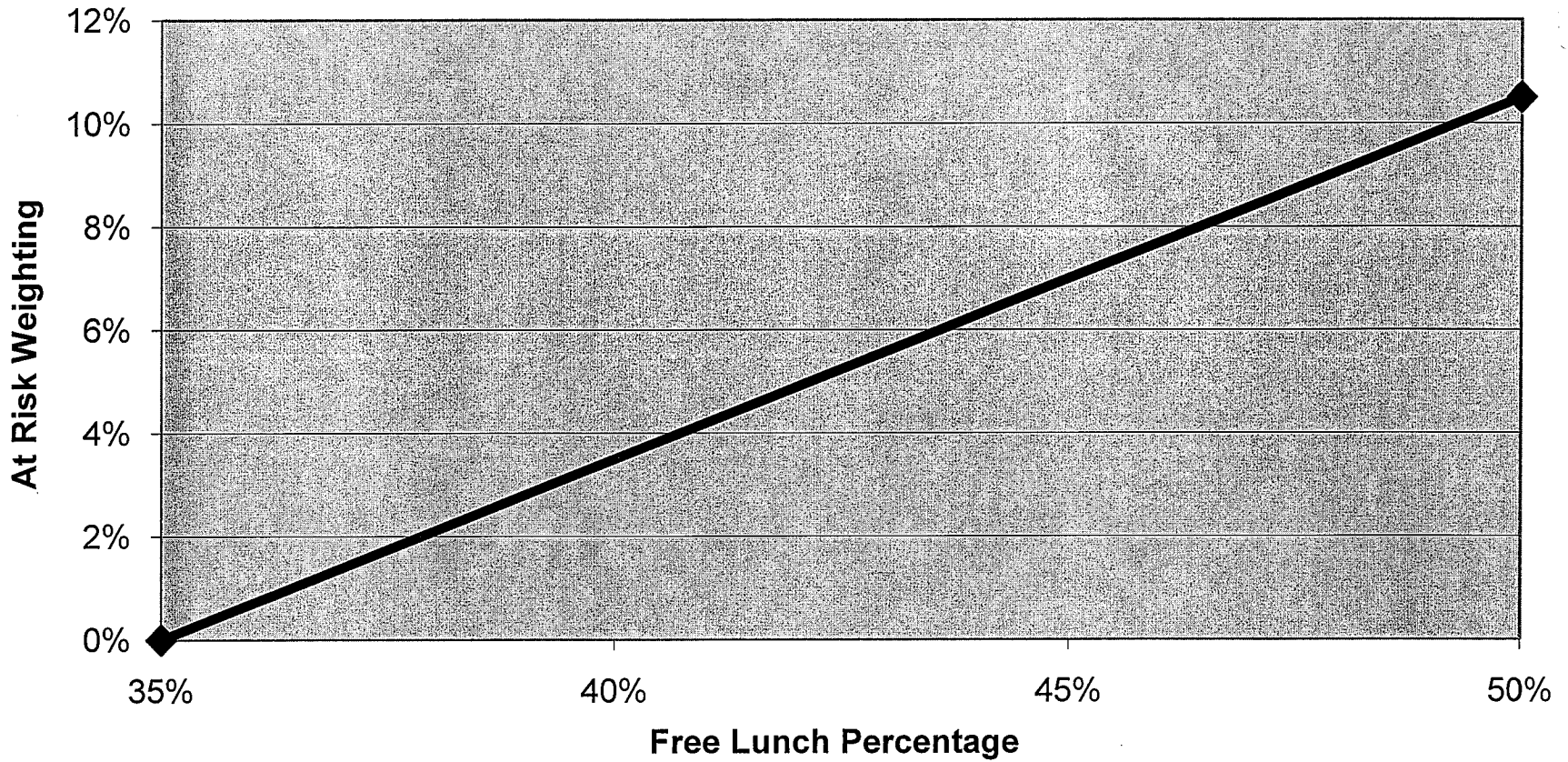
Representative Mah made a substitute motion to table **HB 2539**. The substitute motion was seconded by Representative Crow. The substitute motion carried.

The meeting was adjourned at 10:30 a.m. The next meeting is scheduled for February 16, 2010.

### High Density At Risk (Current Law)



### High Density At Risk (Proposed)



House Education Committee  
Date 2-11-10  
Attachment # 2

KANSAS  
ASSOCIATION



OF  
SCHOOL  
BOARDS



1420 SW Arrowhead Road • Topeka, Kansas 66604-4024  
785-273-3600

Testimony before the  
House Education Committee

on  
**HB 2601**

by  
**Mark Tallman, Assistant Executive Director/Advocacy**  
Kansas Association of School Boards

**February 10, 2010**

Mr. Chairman, Members of the Committee:

**HB 2601** would create a linear transition for the high density weighting factor. KASB has previously supported the concept of a linear transition. However, as we understand the bill, it would accomplish this goal by shifting funds among districts so that some would end up with additional funding and others would lose.

At a time when most districts have lost funding, particularly on a per pupil basis, and when additional cuts are a very real possibility without increased state revenue, KASB does not believe the state should be imposing additional cuts by weighting changes – especially from at-risk funds. Therefore, we oppose the passage of **HB 2601**, particularly at this time.

Thank you for your consideration.

House Education Committee

Date 2-11-10

Attachment # 3

## HOUSE BILL No. 2595

By Committee on Education

2-1

9 AN ACT concerning school districts; relating to the provision of trans-  
10 portation; amending K.S.A. 2009 Supp. 72-1046b and repealing the  
11 existing section.  
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2009 Supp. 72-1046b is hereby amended to read  
15 as follows: 72-1046b. (a) As used in this section:

16 (1) "School district" means a school district organized and operating  
17 under the laws of this state and no part of which is located in Johnson  
18 county, Sedgwick county, Shawnee county, or Wyandotte county.

19 ~~(2) "Receiving school district" means a school district of nonresi-~~  
20 ~~dence of a pupil.~~

21 ~~(3) "Sending school district" means a school district of residence of~~  
22 ~~a pupil.~~

23 ~~(4) "Non-resident pupil" or "pupil" means a person pupil who is en-~~  
24 ~~rolled and in attendance at school in a receiving school district a school~~  
25 ~~located in a district in which such pupil is not a resident and who (A)~~  
26 ~~lives 10 or more miles from the attendance center the pupil would attend~~  
27 ~~in a sending school district or (B) is a member of the family of a pupil~~  
28 ~~meeting the condition prescribed in subpart (A).~~

29 (5) "Member of the family" means a brother or sister of the whole  
30 or half blood or by adoption, a stepbrother or stepsister, and a foster  
31 brother or foster sister.

32 ~~(b) The parent or legal guardian of any pupil may apply to the board~~  
33 ~~of education of a sending school district on or before July 15 of the current~~  
34 ~~school year for authority for such pupil to be furnished or provided trans-~~  
35 ~~portation to school from the pupil's residence and from school to the~~  
36 ~~pupil's residence by the receiving school district. The application shall be~~  
37 ~~made upon forms prescribed by the state board of education.~~

38 ~~(c) Upon receiving any application under this section, the board of~~  
39 ~~education of a sending school district shall inquire of the receiving school~~  
40 ~~district whether it is willing to furnish or provide transportation for the~~  
41 ~~pupil named in the application. If the board of education of the sending~~  
42 ~~school district determines that the receiving school district is willing to~~  
43 ~~furnish or provide transportation for the pupil and the board of education~~

the district in which the pupil resides

4-2

1 of the sending school district and the board of education of the receiving  
 2 school district agree that the pupil is a pupil as defined in subsection  
 3 (a)(4)(A) or (B), the board of the sending school district shall issue an  
 4 order authorizing the furnishing or provision of transportation by the  
 5 receiving school district for the affected pupil to school from the pupil's  
 6 residence and to the pupil's residence from school.

7 ~~(d) (b) The board of education of any school district may furnish or~~  
 8 ~~provide transportation to any non-resident pupil who is enrolled in and~~  
 9 ~~attending school in the district.~~

10 (c) Pupils attending school in a receiving school district under the  
 11 provisions of this section in which the pupil does not reside shall be  
 12 counted as regularly enrolled in and attending school in the receiving  
 13 school district where the pupil is enrolled for the purpose of computations,  
 14 except computation of transportation weighting, under the school district  
 15 finance and quality performance act and for the purposes of the statutory  
 16 provisions contained in article 83 of chapter 72 of Kansas Statutes An-  
 17 notated. No such pupil shall be charged for the costs of attendance at  
 18 school in a receiving school district in which the pupil does not reside.

19 Sec. 2. K.S.A. 2009 Supp. 72-1046b is hereby repealed.

20 Sec. 3. This act shall take effect and be in force from and after its  
 21 publication in the statute book.

Any district which intends to furnish transportation to a pupil who resides in another district, shall provide notice to the district in which the pupil resides prior to commencing the furnishing of the transportation.