

## MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:40 P.M. on March 12, 2008, in Room 123-S of the Capitol.

Committee members absent: Ruth Teichman- excused

Committee staff present: Sharon Wenger, Kansas Legislative Research Department  
Carol Toland, Kansas Legislative Research Department  
Theresa Kiernan, Revisor of Statutes Office  
Matt Todd, Revisor of Statutes Office  
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Senator Pat Apple  
Gary French, Superintendent, U.S.D. 367, Osawatomie  
Mark Tallman, Kansas Association of School Boards  
Bill Brady, Schools For Fair Funding  
Cheryl Semmel, United School Administrators of Kansas

**SB 623 – School finance; high density at-risk formula; linear transition calculation**

Matt Todd, Revisor of Statutes Office, explained that **SB 623** would implement a linear transition for the high density at-risk weighting for school districts with a free lunch student percentage between 35 percent and 50 percent. It would cap the maximum high density at-risk weighting at 9.66 percent for all school districts with at-risk students between 35 percent and 50 percent. He noted that, under current law, there is a cap of 10 percent for districts with 50 percent or more students receiving free lunch. According to the fiscal note, passage of **SB 623** would have no fiscal effect on the state; however, individual school districts may experience either increases or decreases to amounts received under the current formula for high density at-risk weighting.

Senator Pat Apple testified in support of **SB 623**. He said that the bill relates to the problem created under current law wherein school districts that are close to 50 percent or close to 40 percent free lunch count experience a “cliff effect.” He explained that, once a district has been evaluated for the certified number of at-risk students, the district can lose a significant amount of money if the district has dropped off the 40 or 50 percent “cliff” on the December certification date for the number of at-risk students.

Gary French, Superintendent of Schools for U.S.D. 367 (Osawatomie), testified in support of **SB 623**. He explained that U.S.D. 367 has an at-risk population of 40.76 percent free lunch count, which narrowly kept U.S.D. 367 on the high density at-risk funding ledge and resulted in an additional \$104,976 for at-risk programs. He further explained that the difficulty the district has with the current formula for funding high density at-risk weighting is that it is unknown if the district will qualify next year. General fund budgets are published in August based on an estimate of the September 20 enrollment count; therefore, it would be unwise for a school district that has a free lunch count within a few percentage points of the 40 percent to 50 percent ledge to budget high density at-risk dollars. Thus, Osawatomie and other districts with similar populations must wait until the September 20 count date, and this is not an effective way to meet the needs of the district’s at-risk children. With the linear transition provision in **SB 623**, financial decisions could be made based on priorities and student achievement data, and successful programs would be sustainable. (Attachment 1)

Mark Tallman, Kansas Association of School Boards, testified in support of **SB 623** with a qualification. KASB supports the concept of a linear transition for the high density at-risk weighting; however, it opposes the provision in the bill that, in effect, funds the linear transition by reducing aid to the districts with the highest percentage of low income children. He reasoned that funding a linear transition makes sense for the formula, but increasing funding for programs that help low income students succeed in school makes sense for the economic future of Kansas. (Attachment 2)

Bill Brady, Schools For Fair Funding, testified in opposition to **SB 623** in its current form on behalf of the

## CONTINUATION SHEET

MINUTES OF THE Senate Education Committee at 1:40 p.m. on March 12, 2008, in Room 123-S of the Capitol.

Kansas National Education Association, U.S.D. 500 (Kansas City, Kansas), U.S.D. 259 (Wichita), U.S.D. 501 (Topeka), and Kansas Families For Education. Mr. Brady said Schools For Fair Funding supports a linear transition but does not believe that the districts currently receiving high density weighting should suffer a loss in their percentage allocation in order to provide a solution to a problem that nearly everyone agrees should be solved. He asked the Committee to consider an amendment to existing law that would tie high density at-risk weighting to the declining enrollment weighting. He explained that, by allowing any districts receiving this weighting to use their current year, prior year, or a three year average for the sole purpose of qualifying for the high density at-risk weighting, districts would avoid the effect of a sudden loss in enrollment. He noted that a memorandum from the Kansas Department of Education concerning the proposed amendment indicated that the fiscal impact would be insignificant. (Attachment 3)

Cheryl Semmel, United School Administrators of Kansas, presented testimony on **SB 623** as a neutral conferee. She stated that USA/Kansas supports implementing a linear transition formula for high density at-risk students, but at the same time is concerned that the bill in its current form sets the cap at 9.7 percent and will reduce funding for many school districts and negatively impact programs that serve students with the greatest need. Therefore, she strongly encouraged the Committee to amend the bill to ensure that all districts are able to continue funding at-risk programs which have been effective. (Attachment 4)

Theresa Kiernan, Revisor of Statutes Office, distributed copies of a proposed amendment to **SB 623**. (Attachment 5) She explained that subsections (a) through (d) in Section 1 were rewritten to return to current law. Those subsections would be subject to new subsection (e) which would provide that, if the enrollment of at-risk pupils decreased in any school year, the high density at-risk pupil weighting of the district in the current school year would be the greater of the weight in the current year, the high density at-risk pupil weighting in the prior school year, or the average of the high density at-risk weighting in the current year and the two preceding school years.

Committee discussion concerning the effect of the proposed amendment followed, and it was the consensus of the Committee to authorize Mr. Brady to work with Ms. Kiernan to draft an amendment which accurately reflects the concepts which he presented. Mr. Brady agreed to do so. With this, the hearing on **SB 623** was closed.

Senator Schodorf called the Committee's attention to the minutes of the March 10 meeting.

Senator Allen moved to approve the minutes of the March 10 meeting, seconded by Senator McGinn. The motion carried.

The meeting was adjourned at 2:15 p.m.

The next meeting is scheduled for March 13, 2008.