

Week ending February 8, 2019

As Bob Dylan once sang “The winds they are a changin'.” After a slow start to the legislative session, the pace is beginning to quicken and the craziness is getting ready to begin. It took less than a week for SB 22 to get pushed out of committee and passed on to the Senate floor 26-14. This tax cut is not directly related to education. However, this bill decouples the federal and state tax codes and allows corporation and high wage earners to itemize their state taxes at a cost of over \$400 million over three years and could have a huge impact on the budget.

Before Senate debated SB22 on Wednesday, the **Senate Select Committee on Education Finance** opened the hearing on **SB 44**. School officials urged passage of the funding plan; sharing it would resolve the long running Gannon lawsuit, but Committee Chairwoman Molly Baumgardner, R-Louisburg, said, “We will spend considerable time during the legislative session on this particular bill.”

The Schools For Fair Funding, a coalition of 40 school districts including the four Gannon plaintiff districts, issued a statement urging passage of SB 44, saying, “Keep it simple, just fix it.”

Bill Brady, a representative of SFFF said, “The bill in its current form, without amendments, will solve the Gannon VI issues. SFFF proposes that, if this bill is adopted in its current form, signed by the governor, that the parties simply stipulate to the court that the issue has been resolved, just as they did in 2016 to end the equity portion of the suit. SFFF would only ask that the court retain jurisdiction to see that the out-years get implemented and appropriated as planned.”

Brady was joined by school leaders from across Kansas who spoke in favor of the measure which would phase in \$360 million over four years in response to the Kansas Supreme Court's order to provide an inflation adjustment to the state's earlier school funding increase.

The five Shawnee County school districts said since the state has the revenue available now, it should "fully fund schools to meet the court's directive."

The hearing on SB 44 will continue next week on February 12.

[SB128](#) will have a hearing on Monday, February 11, in [Senate Education](#). This bill supports reducing school emergency drills from 16 to 9. Written testimony can be submitted up to 9:00 am on Monday. USA-Kansas and KSSA will be supporting this bill with oral testimony.

KPERS Re-amortization

Hearings in [House Financial Institutions and Pensions Committee](#) will be on Tuesday, February 12, at 9:00 a.m. for [HB 2197](#) – Amortizing the state and school KPERS actuarial accrued liability over a 30-year period and eliminating certain level-dollar employer contribution payments.

Governor Laura Kelly has proposed "re-amortizing" the current KPERS debt which is due to be paid off in 2034. Under the Governor's proposal, the benefits would be to reduce annual costs to the system and allow more funding for current funding of state programs include K-12 state aid, higher education, social services, and public safety. The disadvantage is the total cost over time would be much higher.

KPERS staff has indicated that re-amortization is a common strategy for public pension plans but would ordinarily be considered several years from now when the system is closer to being fully funded.

USA-Kansas does not have a specific position on the KPERS re-amortization. The organization does, however, have a priority goal of fully implementing the school finance plan adopted by last year's Legislature over the next four years and support the [Governors budget](#).

School board and municipal vacancies.

The [hearing in House Local Government Committee](#) will be on Wednesday, February 13, at 9:00 a.m. for **HB 2136** – Municipalities; related to resignations for the purpose of filling vacancies on governing bodies.

The bill states that “No member of the governing body of a municipality shall resign from the member’s position on the governing body for the purpose of being appointed to another position on the same governing body if this would result in lengthening the member’s term of office on that governing body.” This bill is apparently based on concerns that board members and city official may be thwarting the will of voters by resigning to receive an appointment to another position on the body based on several incidents.

At-Risk Funding and Jobs for American’s Graduates.

The hearing in [House K-12 Education Budget](#) will be on Wednesday, February 13, at 3:30 p.m. for **HB 2108** – At-Risk, evidence-based programs, JAG-K, (same as SB 16, hearing held Thursday).

JAG-K has been funded primarily with federal TANF (Transitional Aid to Needy Families) funding. There are concerns this funding will be reduced or eliminated by the Kelly administration to use for other purposes.

USA-Kansas believes At-Risk funding can already be used for JAG-K. KASB testified as neutral. There were no objections to the program, which has had a very positive record. The only concern is whether specific programs should be listed.

Private school scholarship for students reporting bullying.

The hearing for Thursday, February 14, in the House [K-12 Education Budget Committee](#) begins at 3:30 p.m. for [HB 2150](#) — Enacting the Kansas Hope Scholarship Act.

The bill would provide that any public-school student who has reported an incident of bullying, whether or not they were the victim, is eligible to transfer to another public school district or an accredited private school and receive a scholarship to attend the other school with the amount based on a percentage of the base state aid per pupil plus funding for transportation.

If the student wanted to attend another public school district, the scholarship money would go to that district's general fund, but it would be less than base state aid and the bill does not appear to give the districts any additional spending authority. The student would continue to be counted for enrollment in the "home" district, which apparently keeps the difference between the base and the scholarship amount.

The bill does not appear to require either the other district or a private school to accept any such students.

USA-Kansas opposes vouchers/scholarships for schools not subject to the same accountability as public schools. USA-Kansas plans to share in testimony that the contents of this bill will not solve the issue of bullying behavior; bullying is a serious issue and needs attention. However, taking dollars from a school if students transfer, will not help with a bullying issue especially for those students who cannot or do not want to transfer.

A scholarship to attend a different school does not guarantee the student won't be bullied at the receiving school, nor does it apply to students in private schools who experience bullying behavior.

Any public school student alleging any act of bullying, whether to him or herself, becomes eligible under this bill. School administrators are required to investigate, but the investigation does not have any impact on eligibility. If you are available we could use additional support in testimony on this bill.

If you or anyone from your district would be interested in testifying on any of these bills, please contact Sara Chinn at schinn@usakansas.org so she can help coordinate testimony for USA-Kansas.