

Appropriations school finance plan in doubt

The House Appropriations Committee yesterday pulled back their school finance bill (Sub for SB 218) ostensibly because of the decision to take money from KPERS school payments to partially fund LOB and capital outlay equity.

Committee Vice-chairman Marvin Kleeb (R-Overland Park) made the motion to bring the bill back, announcing that there were agreements on KPERS made in other committees that would be violated if the finance bill passed as is.

Chairman Gene Suellentrop (R-Wichita) then opened a hearing on another bill dealing with the sale of state office buildings. That bill requires that the proceeds from any such sales be split between state agencies and the KPERS unfunded liability. But this hearing hit a snag when Rep. Sydney Carlin (D-Manhattan) objected to the timing of the hearing, saying that opponents of the bill (or at least the part dealing with the demolition of the Docking State Office Building) had not been appropriately notified of the hearing. Suellentrop recessed the meeting so that Carlin could get some of the opponents in.

Returning late in the afternoon, the hearing on the building sale bill continued with the opponents and questions from the Committee. Suellentrop had intended to work the bill last night but again responded to objections from Rep. Carlin by agreeing to postpone action on the bill until Friday. At 7:30 Suellentrop recessed the Committee for a half hour break. It was expected that the school finance bill would be taken up at 8:00.

Upon returning about 8:15, Suellentrop announced that the school finance bill could not be worked until there was resolution of the building sale bill and he adjourned the Committee.

The House had planned to debate school finance on the floor tonight starting at 5:00 but those plans are now off since there is no bill out of Committee at this time. Instead, the Appropriations Committee will meet again tonight at 5:00. We assume they will work the building sale bill and then take up school finance.

Is KPERS the only issue?

Not hardly! The air under the dome is awash with rumors about what might happen now that the bill has been pulled back into committee and is open once again to amendment.

The most circulation rumor is that there are not 63 votes in the House to pass the bill as it is and that amendments intended to pick up votes will be offered. The KPERS amendment will please the House members who have worked so hard on the KPERS issues; further changes to virtual schools weighting or transportation weighting might pick up a few votes; there is the issue of the mandatory vote to increase the LOB. And Rep. Kasha Kelley (R-Arkansas City) is widely rumored to be bringing yet another charter school amendment.

The problem for vote counters is that every change moves votes around. While some legislators are passionate about increasing the LOB without a mandatory vote, others demand that any increase requires a mandatory vote. While some argue vehemently for smaller cuts to transportation, others claim school districts are "making money" on it and the weighting needs to be changed. It's like an enormous game of whack-a-mole. Once one mole gets whacked down into his hole, another pops up!

Equity, Adequacy, and Policy

Things seem to come in threes. The three stooges, the three volumes of the Lord of the Rings, the three horsemen of the apocalypse. And the debate over school finance in the 2014 legislature also has three issues: equity, adequacy, and policy.

The Supreme Court ordered the legislature to address equity in the formula, particularly pointing out LOB and capital outlay state aid. The Court chose not to rule on adequacy instead calling up the lower court to decide that issue after the equity is fixed. And the Court said nothing about educational policy.

The bills in the Senate and House however deal with all three in one way or another. While both bills solve the equity issue, they also make cuts to school programs - virtual schools, at-risk education, and transportation - that will likely make it much harder for the state to argue before the district court that they have adequately funded schools. And then members of both committees have been packing policies that have never made it out of committee or been approved by either chamber into the finance bill in the hope that they will pass because of the pressure to address the equity issue.

In calling for the legislature to simply pass a clean bill fixing the equity issue, the Wichita Eagle had this to say, "Yet as the GOP House and Senate plans emerged and passed through each chamber's budget committee this week, the disappointing reality became clear: Republican lawmakers prefer to try to move education money around and tie it to controversial policy reforms." Click here to read the whole editorial^[1].

You can join the chorus of Kansas calling for a clean school funding bill! Add your name to the online petition at <http://changekansas.org/action/petition/pass-a-clean-education-budget-bill-now>^[2].

And what about hearings?

The issue of hearings is becoming an ugly one under the dome.

Normally, after a bill is introduced and sent to committee, there is a timely announcement of a hearing in order to give both proponents and opponents an opportunity to state their positions on the issues in the bill. But this is not a "normal" year.

Take for example the building sale issue we reported earlier. The Senate had amended the bill to add the demolition of the Docking building. When the bill got to the House, there was less than 24 hours notice of the hearing. Proponents (the Secretary of Administration) were there, opponents were not. Hence Rep. Carlin's objection.

Earlier in the debate on school finance, Rep. Kasha Kelley brought unannounced amendments on charter schools and corporate tuition tax credits. She also invited supporters of the issue to the meeting and Chairman Suellentrop allowed them to speak. Opponents of these issues had no notification of amendments and were not allowed to speak in Committee.

Complicating things even further is the fact that there is an education committee in both the House and Senate where policy issues are intended to be debated. The charter schools amendment was rejected by the House Education Committee last year; tuition tax credits were defeated on the House floor last year, the charter schools bill was heard in the Senate Education Committee and not passed out of Committee. The policies are being brought by legislators who cannot get them passed in the policy committees to a committee where they can be tacked on to a bill without a hearing.

While the Appropriations Committee has so far refused to adopt tuition tax credits or charters, they have added amendments to allow school districts to hire untrained, unlicensed teachers and to expand the innovative schools experimental program before it has even begun and while it is constitutionally questionable. The Senate Ways and Means Committee added the same licensure amendment and additionally adopted a property tax credit for homeschoolers.

This is an alarming new trend in the Kansas Legislature.

Take action!

You can join the chorus of Kansas calling for a clean school funding bill! Add your name to the online petition at <http://changekansas.org/action/petition/pass-a-clean-education-budget-bill-now>^[3].

Contact your legislators today and urge them to drop policy from the school finance bills and pass a clean bill addressing the equity issue. Use the KNEA legislative contact portal by clicking here^[4].

1. <http://click.email.nea.org/?qs=12d11cd5e578f656deb270de80ec8d1d00aefaad717973bd6a41a8a918f87d89e8d72655576a5cb8>
2. <http://click.email.nea.org/?qs=12d11cd5e578f65680fe97fa6de4a8e65bd6334f354047953af2aaafd82027549cbd1a77a774057a>
3. <http://click.email.nea.org/?qs=12d11cd5e578f65680fe97fa6de4a8e65bd6334f354047953af2aaafd82027549cbd1a77a774057a>
4. <http://click.email.nea.org/?qs=12d11cd5e578f656f536c7462690a4dad0b99543fce5f8eb6a36c0e71a63cf186263119ab245a937>