



**Public Comment on Potential School Funding Changes
in Response to the May 27, 2016, *Gannon* Court Order**

before the
House and Senate Judiciary Committees

by

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Chairman King, Chairman Barker, Members of the Committees:

Thank you for the opportunity to appear today. These three organizations support the principle that both adequacy and equity are components of a constitutionally suitable provision of finance of the educational interests of the state.

Equity, in part, means school districts must be able to access similar amounts of revenue to provide similar educational opportunities at similar tax efforts. The May 27 *Gannon* Order found the Legislature had resolved equity issues in capital outlay state aid by returning to the previous formula; but had not demonstrated that using the same capital outlay formula would reduce tax disparities in the local option budget.

We agree with the Supreme Court there may be other ways to achieve equity; however, at this point the quickest and more certain ways to ensure a constitutionally equitable system is to restore both the previous capital outlay formula (based on the median valuation per pupil) and the previous LOB formula (based on 81.2 percentile of valuation per pupil). We understand that would cost the state approximately \$38 million, and would encourage the Legislature to take action.

Before standing for questions at the pleasure of the chairs, we would like to make a comment on the issue of “hold harmless.” As we testified during the regular session on school finance proposals, our organizations support the concept of hold harmless in school funding. We understand there are proposals to provide additional funding to compensate districts which would lose funding by returning to the previous LOB equalization formula, so they would not be required to raise their mill levies.

We do not object that concept, but believe such an approach should be provided to all districts in similar circumstances. We submit that if the Legislature had previously provided funding to allow all districts to avoid increasing their mill levies due to changes under the school finance system, it is highly unlikely this case would have ever reached the Kansas Supreme Court.

Thank you for your consideration.