



## **House Appropriations Committee Testimony on HB 2740**

**Dr. Cynthia Lane, superintendent**

March 23, 2016

My name is Dr. Cynthia Lane, and I have the privilege of serving as the superintendent of the Kansas City, Kansas Public Schools. I am here to testify in opposition to HB 2740. This bill, which was printed yesterday afternoon, was ostensibly written to respond to the ruling of the Kansas Supreme Court on the *Gannon v. State of Kansas* school funding case. The Supreme Court found that SB 7 was unconstitutional, in that it did not meet the equity requirements of Article VI of the Kansas Constitution. The printout provided at the hearing on March 22 indicates that no district would receive less in Local Option Budget and Capitol Outlay equalization aid for FY 2017 than they received for the current fiscal year (a few districts benefited from the adjustments to the formula, and would collectively receive an additional \$2 million.)

To me, one of the first mathematical properties that we teach our students in Algebra, the Transitive Property, applies directly to this bill: If SB 7 is unconstitutional, and HB 2740 does the same thing as SB 7, then HB 2740 MUST be unconstitutional as well. Perhaps more importantly, HB 2740 does nothing to remedy the equity test put forth by the Court: "school districts must have reasonably equal access to substantially similar educational opportunity through similar tax effort." (*Gannon, p.2*) In fact, rather than remedying identified inequities, it creates the potential to widen the gap between property rich and property poor districts, by reducing equalization aid for LOB by \$82.9 million.

I applaud the fact that this bill attempts to "hold harmless" districts, so that they do not receive less than last year. Doing what is right for the children in Kansas City, Kansas should not come at the expense of children elsewhere in the state, who also deserve schools that are equitably and adequately funded. In fact, the notion of holding districts harmless during a change in the school funding formula has been a practice in Kansas for the past 20 years. However, in the past, the idea of "holding districts harmless" was only used AFTER legislation had been developed to remedy an identified deficiency in the formula. This bill, rather than fixing identified problems in SB 7, simply changes the formula in order to spend the amount of money the legislature is willing to spend, with no regard to the needs of individual students or districts. In doing so, it exacerbates the deficiencies contained in SB 7, which was found unconstitutional by the Shawnee District Court.

I recognize the difficult situation that this committee finds itself in. Creating equity in school finance will require additional resources, and finding those resources at a time when the state is missing already significantly lowered revenue projections is incredibly challenging. However, equity is the right thing to do for children, for families, for communities, and for the future of this state, and I would implore you to have the courage to recognize education's role as the primary economic driver of this state, and to fund it accordingly.