

State Representative

Don Hineman

Don's Legislative Update
April 8, 2014

School Funding Bill Passes in Late Night Session

A proposal to provide more money for Kansas public schools has now been passed, having been adopted by the House late Sunday evening with 63 affirmative votes, the minimum number needed for passage. I voted no, for reasons I will explain. It had earlier been voted out of the Senate with 22 yes votes, one more than required.

The measure, Senate Substitute for House Bill 2506, provides roughly \$129 million in funding to meet the "equity" requirement of the recent Supreme Court school funding decision. I believe this will satisfy the court; however I must admit to being somewhat apprehensive about their response. One of the "pay fors" for the new funding was the elimination of funding for one form of at-risk weighting. An argument could be made that eliminating that weighting will disadvantage the students and school districts that the weighting was designed to help, thereby creating a new source of inequity.

Additionally, the bill provides flexibility for all school districts to increase their Local Option Budget (LOB) if they wish. The problem is that a LOB increase means property taxes must go up. That means that some wealthy districts will jump at the chance to increase their LOB while some poorer districts may feel that they simply can't afford the additional property tax load, and will not increase the LOB. Does this also create an issue of inequity? There is certainly room for discussion on that point.

Even with those two potential problems, I was solidly in favor of passing the funding portion of the bill. However it also contained some policy proposals which I view as quite problematic. And my stand against them is amplified because of the questionable process in which they were included in the bill. These are very controversial policy pieces, and they were stuck in the bill without having gone through the committee hearing process. That means that the legislature was being asked to pass these measures without complete understanding of the pros and cons of the proposals. They were inserted as pet projects of certain legislators into a funding bill that everyone agreed had to be adopted. That was done because those legislators, and everyone else, knew they could not pass as stand-alone legislation. That, in my opinion, is very poor public policy, and I stand against it. Here is a brief description of the policy items and my views on them:

Due Process for Teachers

Current Kansas statute provides due process for teachers once they have completed a three-year probationary period. Even though Kansas is an employment-at-will state, the due process statute lays out a hearing and appeals process for non-probationary teachers who have had their employment terminated. Sub for HB 2506 would remove that due process



In This Issue:

[School Funding Bill Passes in Late Night Session](#)

[Cowboy Logic](#)

Visit Don's Website:
[Hineman for Kansas](#)

Useful Phone Numbers

Department On Aging
800-432-3535

Child/Adult Abuse Hotline
800-922-5330

Child & Family Services
888-369-4777

Consumer Protection
800-423-2310

Crime Tip Hotline
800-252-8477

Crime Victim Assistance
800-828-9745

Gov- Brownback
800-748-4408

Highway Road Conditions
511 (in Kansas)

protection for K-12 teachers. While I have some problems with the current statute, I would have favored a full examination of the issue rather than a total elimination of due process.

It is unclear whether this eliminates due process for current teachers or whether it only applies to newly-hired teachers. Also, some districts, including Shawnee Mission, include due process provisions in their teacher contracts. Are these invalidated now, or do they still stand? If so, we may see pressure on school districts throughout the state to adopt due process in their contracts. That would entail a great deal of time, trouble, and expense on the part of school boards. One has to wonder if that isn't the reason that a statewide statutory due process for teachers was first adopted back in 1957.

Alternative Certification

Sub for HB 2506 provides a mechanism whereby individuals who have not completed traditional teacher career-path training may become certified to teach in Kansas schools. I approve of efforts to provide alternative certification, as rural Kansas schools often find it difficult to locate and hire teachers in certain fields, most often science and math. However I believe it was unnecessary to include this provision in the bill, as the State Board of Education understands the need, and has been working on alternative certification for quite some time. Enacting this provision in statute could actually be a usurpation of that board's constitutional duties.

Corporate scholarships for Private Schools

This is an issue that I frankly can never agree to. I understand that part of the objective is to encourage additional competition in education, and I support that concept as we search for ways to provide the best possible education at the least possible cost. But it is simply not equitable to provide public funding for private education via institutions that do not have to follow the same regulations and guidelines as public schools. I firmly believe that public funds must be dedicated exclusively to public education. It seems the folks who wrote the Kansas constitution agree with that point of view. Article 6 of the constitution contains this sentence: "No religious sect or sects shall control any part of the public educational funds."

The legislature is now on spring break until April 30, when we will return to Topeka for the wrap-up session. If things go smoothly we could reach final adjournment by May 9. If we hit any snags I expect a May 16 finish.

[<Back to Top>](#)

Cowboy Logic

Never expect good news in an envelope with a window.

Quote of the week

"I am not a product of my circumstances. I am a product of my decisions."
– **Steven Covey**

Sermon in a sentence

Things turn out best for the people who make the best of the way things turn out.

Housing Hotline
800-752-4422

KanCare Assistance
866-305-5147

Kansas Lottery
800-544-9467

Legislative Hotline
800-432-3924

Mental Health Services
888-582-3759

School Safety Hotline
877-626-8203

Social Security
800-772-1213

Taxpayer Assistance
785-368-8222

Tax Refund Status
800-894-0318

Unclaimed Property
800-432-0386

Unemployment Insurance
800-292-6333

Vital Statistics
785-296-1400

Voter Registration
800-262-8683

Welfare Fraud Hotline
800-432-3913

Worker's Comp
800-332-0353

< [Back to Top](#) >

Representative Don Hineman

Visit My Website at <http://www.hinemanforkansas.org/>

116 S. Longhorn Road
Dighton, Kansas 67839

Phone: 620-397-2504

Fax: 620-397-755

Email: dhineman@st-tel.net

Room 50A, State Capitol Building

300 SW 10th Street

Topeka, Kansas 66612

Phone: 785-296-7636

Email: don.hineman@house.ks.gov

Newsletter Paid for by Hineman For Kansas - Derek Martin, Treasurer