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Dear Members of the Kansas Legislature,

Thank you for your service to the people of Kansas. 2023 will be a critical year for public schools in Kansas. As we begin the 2023 legislative session, we want to take this opportunity to share with you what we believe are opportunities to continue to make progress in our collective responsibility to educate the children of Kansas. This year, the state will reach completion on the commitments made in the settlement of the Gannon lawsuit. With the fulfillment of the final year of the Gannon agreement, education funding in Kansas will satisfy the dictates of the Kansas Supreme Court and the plain meaning of the Kansas Constitution. We deeply appreciate that support for public education.

While fulfilling the mandate of Gannon is critically important, we strongly believe that we have an opportunity this year to do more than simply “maintain the status quo”. The state is in a strong financial position, and that gives us the opportunity to really move Kansas schools forward in a positive direction. There are three important issues that we believe deserve special focus and attention during the upcoming legislative session.

First, thanks to a strong economy and responsible state leadership, we are now in a position to fulfill a broken promise: We can fully fund special education in Kansas. We cannot consider ourselves to be a leading state in education until we satisfy what is both a moral and a legal obligation, and finally fund special education in Kansas at 92% of excess costs, as required by Kansas law. Meeting our obligation as a state will collectively free up more than \$35 million in general fund dollars here in Johnson County to support the education of all children in our schools. This is an opportunity to make good on what we promise when we say that “All means all”.

Next, it is critical that during this legislative session, the state provide clarity on the open enrollment bill that was passed last session. We know that the intention behind the legislation was to ensure all kids have access to a high-quality education, but strongly believe that there are adjustments that need to be made to the legislation in order to fulfill that promise. First, it is critical that the legislation explicitly reinforce the authority of local boards of education to make decisions around the education of students in their community. Having a “one-size-fits-all” approach to decisions around enrollment could never account for all of the complexities surrounding enrollment, and would inevitably create hardships for many children and families.

It is also important that clarity be provided in the open enrollment law around service for students who receive special education services. Federal law requires school districts to provide transportation for many of these students, and as written, districts would be required to pay for that transportation, regardless of how far away an incoming student lived from the school where they wanted to enroll. Requiring a district to pay to transport a student who lives far outside their geographic boundaries is an inefficient use of scarce taxpayer resources.

Another challenge with the law as currently written is that a district would not receive funding for students who come to them through open enrollment until one year after they enroll (as districts are currently funded on enrollment from prior years.) This could be fixed either with up-front funding or a mid-year count.

Additionally, understanding that the intention behind the Open Enrollment legislation is to give all students access to a high-quality education, and that students do best when they are able to grow up and be educated in their own communities, we would support elimination of the sunset on high-density at-risk funding. This would provide districts that have significant numbers of students who live in communities with dense concentrations of poverty access to the resources they need to serve those students well.

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Finally, we are concerned about the mental health of our students. We know that the last several years have been really hard on our children, and in many cases the stresses that children are experiencing interfere with the learning process. While students primarily access mental health services in community settings, having access to these services has a strong impact on their ability to be successful in school. We believe that providing sufficient resources to support the mental health of students will have a profound positive effect on their well-being and future success.

We recognize that there are a lot of claims on state resources and focus, but we strongly believe that addressing the issues outlined above will be critical for districts in Johnson County and across the state of Kansas, and will put us in the best position to be successful. Like you, we believe that an investment in our schools is an investment in our state and its future. We appreciate your attention to our requests and we look forward to working with you during the coming legislative session.

Sincerely,

Dr. Tonya Merrigan  
Superintendent, Blue Valley

Dr. Brent Yeager  
Superintendent, Olathe

Dr. Brian Huff  
Superintendent, Gardner Edgerton

Dr. Michelle Hubbard  
Superintendent, Shawnee Mission

Dr. Frank Harwood  
Superintendent, USD No. 232

Dr. Link W. Luttrell  
Superintendent, Spring Hill