

Larger district looks to sue state for bigger share

By Andy Heintz

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Schools for Fair Funding, a coalition of 13 mid-sized to larger Kansas school districts that forced an overhaul of the state's school finance system, says it is considering filing a lawsuit against the state over cuts it made to the public education budget this year.

As the national recession deepened, Kansas tax revenue has plunged, leaving the Legislature and governor to make deep cuts. That has included schools, the public education was cut less than most programs.

"An updated study by the Legislative Post-audit Committee showed that before the cuts were made, the state was \$387 million short of the money needed to give a decent education to every child," said John Robb, a Newton lawyer who lists himself as general counsel for the group. "Since that time, they have cut \$168 million more from schools."

School districts that make up the coalition are Arkansas City, Augusta, Dodge City, El Dorado, Emporia, Great Bend, Hays, Independence, Kansas City, Leavenworth, Newton, Salina and Wichita.

The group first emerged in 1999 when it filed a lawsuit against the state challenging the school funding system. Robb and Alan Rupe, a partner in the Wichita law firm of Kutak Rock, represented the schools in the case *Kansas v. Montoy*.

Rupe said the school districts involved in the landmark case were Salina, Dodge City, Leavenworth, Manhattan, Hays, Winfield, Derby, Arkansas City and Great Bend. In 2004, the state Supreme Court ruled in favor of the schools. The court said the government had violated the Kansas Constitution by failing to provide an adequate education to all children. The court set an April deadline for the Legislature to take action.

According to figures at the website www.schoolfunding.info, the Legislature acted by the deadline but failed to meet the amount of money considered necessary by a 2002 costing out study the state had commissioned. The court ordered it to provide the amount recommended. The Legislature passed another bill that met the the amount ordered by the court.

The court then ordered the the Division of Post Audit to incorporate the cost of outputs, as well as inputs, in a cost study to determine required budget levels for future years. The case was dismissed in 2006 with the court demanding the state increase education funding by \$568 million if the post-audit committee failed to comply with its order. This decision led the state to increasing public school spending by \$755.6

Districts involved:

- Arkansas City
- Augusta
- Dodge City
- El Dorado
- Emporia
- Great Bend
- Hays
- Independence
- Kansas City
- Leavenworth
- Newton
- Salina
- Wichita

million between 2005-2006 and 2008-2009.

After the case was dismissed, the group came into conflict with the *Topeka Capitol-Journal*. The newspaper ended up taking the coalition to court to gain access to its financial records, trying to find out how much taxpayers' money was spent in the lawsuit against the state.

The newspaper contended the group was a public entity, financed by some of the same tax money it was suing to increase, and needed to abide by the Kansas Open Records Act and the Kansas Open Meetings Act. The group had provided the newspaper with 2,700 documents relating to revenues and expenditures from 1998 to 2006, but significant portions were blacked out, the paper said.

A settlement was reached in 2007 when the coalition agreed to hand over its financial records and contribute \$12,500 to the Sunshine Coalition for Open Government. The records revealed the schools districts provided the coalition with \$3.2 million for the lawsuit.

Robb said he was not sure how the schools would respond to the present cuts.

"Everything is in a fact-finding state," said Robb. "I don't know if anything will happen or when anything will happen."

The lawyer said to join the coalition, a school district has to pay what amounts to \$2 per student. Rupe has been calling for the court to reopen the case. Rupe said he thinks there was no doubt the cuts were unconstitutional, even though state revenues were down sharply the last two years.

"What I firmly believe is the Legislature knows the funding is unconstitutional," he said. "The folks who have been disadvantaged by the budget cuts are not only the people who initiated the lawsuit in 1999, but all the public school districts in Kansas."



Jance McKee (above) of Goodland, a student in the diesel technology program at the Northwest Kansas Technical College of Goodland, worked on a tractor as part of his class work at the college. Kerek Mason (below) of Goodland, a student in the collision repair department screwed an underbody part on a car as part of his work at the college. The college had an increase of 16 students to 288 enrolled this fall.

— Photo by Pat Schiefen/The Goodland Star-News





Jon Lamp, a student at Northwest Kansas Technical College of Goodland, worked on a project as part of his course work in the welding program. The college hired a new president, Dr. Guy Mills, who says he likes to think outside of the box. He

also says he wants to make the campus and courses as environmentally friendly as possible.

— Photo by Pat Schiefen/The Goodland Star-News

Technical college provides many job skills

By Pat Schiefen

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The Northwest Kansas Technical College has started its school year with a new president at the helm, Dr. Guy Mills, who says he wants to make his campus and programs as “green,” or friendly to the environment, as possible.

Mills, the fourth president of the college, had been associate provost and dean of the University of Texas of the Permian Basin in Odessa.

The school has acquired two hybrid cars for the automotive technology and collision repair programs to work on and learn from. Dr. Mills said that makes them the first in the state to offer training on hybrid vehicles.

Another change this year is that the carpentry class will not build a new house to sell, but will remodel an older home to make it as efficient and environmentally friendly as possible. The house, at 1219 Center, Goodland, was donated by Dennis and Linda Saint.

The college has about 288 students enrolled,

which an increase of 16 over last year. Enrollment peaked at nearly 600 students in 1999-2000 when the communications technology program was really strong, before that sector of the economy went flat.

“There has been a 30 percent increase in the freshman class,” said Dr. Mills, adding that the school has a retention rate of 95 percent between the first and second year. He said his goal for next year is around 500 students.

The school has programs in automotive technology, business technology, carpentry, collision repair, communications network technology, communications technology, computer graphics, cosmetology, diesel technology, electrical technology, engineering technology, heating, ventilation, air conditioning and refrigeration, medical assistant, nail technician, respiratory technician, telecommunication network analyst and welding.

The campus has 24 buildings, including the administration building, diesel technology, cosmetology, Murray Learning Center, Larry Kearns Fitness Center, Student Union, day

care, housing, library, carpentry and electrical, collision repair, communications, computer graphics, air and refrigeration, and the medical, respiratory and welding buildings.

Dr. Mills said he would like to see the college help revitalize the area. The school’s service area has been the 17 counties of northwest Kansas and its 24 school districts, he said.

The college was started in 1964 the state Department of Education and the Goodland School District. It was known as Northwest Kansas Area Vocational-Technical School and then Northwest Kansas Technical School until it became a college in March 2001. The school earned accreditation from the North Central Association/Higher Learning Commission in May 2007.

The college offers students a chance to earn an Associate of Arts degree along with technical certification. The school has articulation agreements with area colleges so that credits transfer if a student wants to go onto a four year program. As part of the upgrade to college status, all the instructors have been completing

their bachelor’s degrees.

The college would like to increase its diversity with having a larger percentage of women, Mills said, and has hired a bilingual recruiter. The institution also hopes to add intercollegiate athletics such as volleyball, wrestling, baseball, softball, track, golf, rodeo and cross country.

Other programs that the college is considering adding are motorcycle repair, landscaping, hotel and restaurant, wind energy technology, agricultural technology, agricultural meteorology, global positioning technology and gunsmithing. The school is working on increasing its course offerings online. Mills said he would also like to offer classes in the evening so that people who work could attend.

The college is facing the same financial realities as Kansas colleges from uncertain funding on the state budget. Eighty-five percent of the college’s money is from the state, the president said, with the rest from students fees.

“I am impressed with the facility and the quality of the students at Northwest Kansas Technical College,” Mills said.