

The Kansas Voter



March 2011

League of Women Voters of Kansas

Working together...for Kansas

League Day at the Capitol March 24

■ Let the Sun Shine On

Legislative Work

by Ernestine Krehbiel

LWV members and guests from throughout the state will gather in Topeka to hear about current legislation and state budgeting and perhaps a chance to meet with their legislators.

We encourage you to invite your legislator(s) for lunch. LWVK will cover the cost of lunches for them. But be sure to turn in registrations for your guest legislator and other guests. See the registration form on page 5. 3



The League of Women Voters of Kansas
cordially invites you to
a program featuring
Chief Justice
Lawton Nuss
Supreme Court
of Kansas

March 24, 2011
1-3:30 PM
Dillon House
404 SW 9th Street
Topeka, Kansas

Refreshments Served
RSVP to cpadera@lwv.org



The afternoon session of Day at the Capitol is open to the public. Please let people know about this event.

President's Message
by Ernestine Krehbiel

Taxes are the Dues we pay to live in a Democracy.

This legislative session, the positions that the League of Women Voters of Kansas holds are receiving assaults more than at any time in a very long time. There are bills to try to take away the merit selection of judges, bills to change the voter registration and voting laws in ways that will not only not enhance voter turn out but will suppress voting in Kansas—
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Agenda for Day at the Capitol

- 8:30 Registration and continental breakfast
- 9:00 Opening Remarks
- 9:15 Presentation: Redistricting in Kansas—Political?
Corey Carnahan, Research Analyst Kansas Legislative Research Department
- 10:15 Break
- 10:30 Legislative Update by Paul Johnson, LWVK Legislative Liaison
- 11:30 Luncheon (LWVK will pay for Legislators' lunches)
- 12:15 Panel Presentation: State Taxation: Who Pays?
1:00 Break (start registration for the afternoon session for new attendees)
- 1:30 Judicial Project Wrap-up and Celebration — Quest for a More Diverse Judiciary: Introduced by Zaida Arguedas, Deputy Executive Director, LWVUS & Director of Global Democracy Programs
- 2:20 Guest Speakers:
 1. Jeffery Jackson, Professor, Washburn School of Law, sharing his League-sponsored Judicial Selection Research
 2. The Honorable Lawton R. Nuss, Chief Justice, Kansas Supreme CourtCoffee and Dessert reception with guests
- 3:30 Adjournment



Fee: \$20 includes continental breakfast, lunch, and afternoon dessert. Send check to LWVK, PO Box 2366, Topeka, KS 66603. **Bring guests, and invite legislators to eat free.** Parking available in garage under Capitol building.

Note: Legislature is not in session this day.

The Plight of Education in Kansas

by Eleanor Browning

Teachers and others who work in our public schools are very concerned about future prospects for providing a quality education for our students. A slow recovery in our economy continues to add to the struggle of many families to make ends meet.

We all know that budget cuts are resulting in larger class sizes as well as, in many schools, the loss of music and art teachers and programs, nurses and paraprofessionals (decreasing support for student well-being), counselors, and even librarians. Some schools have eliminated FACS (the home-ec program), all day kindergarten, and agricultural programs, as well as cutting back on a host of services because of the overall drop in budgets, including building equipment budgets being cut. Other money-saving measures may include lengthening the school day and shortening the calendar, or even switching to a four-day week, or eliminating administrators.

Many, if not most, teachers are buying teaching and student supplies out of their own dwindling salaries. Many school districts have had to close school buildings. The Emporia school district, for example, will be closing two historic buildings, Lowther North and Lowther South Intermediate Schools.

Teachers truly want students to develop skills for 21st century success, but are required to focus on testing that reflects 19th century memorization. Also, these high-stakes decisions are based on students' "one shot" at these inadequate learning measures. Educators believe that testing should include statewide assessments that are fewer in number, measure fewer objectives with deeper levels of understanding and should include other assessments. This would also mean time for reviewing the data to improve

individual support as well as school and district wide improvement.

Employers have told us that their future employees need the arts and electives to develop skills such as critical thinking, collaboration, communication, and creativity. Unfortunately, budgets are cutting out many electives, music and the arts.

Kansas Legislature

It could be almost two years before a school finance lawsuit in Kansas is settled. The case, Gannon V. State of Kansas, was filed in November by four Kansas school districts hoping the state would be forced to return millions of dollars of funding to schools mandated by a similar lawsuit in 2006. Schools are waiting to see what new budgets look like.

Further reductions or more pressure on the local tax base likely will be the options for local school districts when they begin discussing the 2012 budget. When the state reduces its funding, school districts will have to rely more and more on the local option budget, but many districts are already "maxed" out.

In 2010, the state funded districts at \$4,012 per student, which is \$480 below the statutory requirement of \$4,492 per student. More cuts are predicted; in fact, by next year, the pay per student is expected to be at the 1992 level. Unfortunately, the prices of utilities, salaries, equipment, etc. will not be at that 1992 level. Gov. Brownback is now proposing a reduction in base state aid to pupils from the \$4,012 to \$3,937 per student. If the state funded schools at the level required by current law, the state would have to make up \$325 million.

Early Head Start director, Deb McNeil said Gov. Brownback has eliminated Early Head Start funding in his 2012 budget proposal. She is asking legislators to keep funding this program that serves children 0 to 3 and prenatal mothers in five counties. McNeil stated that "for every dollar we spend we save seven dollars in later

services." Early Head Start contributes to the state's quality of education. After the Kansas House approved (81-40) an appropriations bill that would cut base aid to schools and enact a 7.5% pay cut to high-wage state employees, including about 1,500 at higher education institutions, House Democratic Leader Paul Davis of Lawrence said "Our children will suffer so that big businesses can be exempt from paying taxes."

Cutting base state aid does not meet the governor's pledge to fund Kansas public schools. We know that students and their learning will suffer when teachers, counselors, librarians and support professionals lose their jobs. There is the concern, too, that the Kansas economy, already struggling to rebound from the impact of job losses in several areas, will be further harmed with a new wave of job cuts in every community in our state.

Special Education

For the second year in a row, the federal government is bracing for more states to request a pass on requirements that they hold special education spending harmless as they struggle to balance budgets, leaving school districts to find ways to meet all students' needs with less money.

The Individuals with Disabilities Education Act (IDEA) is designed to cocoon spending on students with disabilities: Regardless of the status of state budgets, special education spending must remain unaffected. States have to spend the same amount or more from year to year, a requirement known as the maintenance of effort.

If they don't request permission before scaling back special education funding, they risk losing federal money for students with disabilities. About 18 percent of money spent on those students nationwide comes from the federal government. If states get a pass from the U.S. Dept. of

continued on page 3

Kansas Education, *continued*

Education for a single year, their spending levels must revert to what they were before they were given waivers.

Last year, the U.S. Dept. of Education waived the spending requirement for Iowa, Kansas and West Virginia because of those states' financial straits. Kansas will apply for another waiver, as the state legislature appears likely to cut special education spending again. Diane DeBacker, state education commissioner, told members of the Kansas State Board of Education that she will submit a letter in early March to U.S. Education Secretary Arne Duncan requesting the waiver. "Some of the districts have used other funds to make sure special ed. students were properly served," said Dale M. Dennis, the deputy commissioner for fiscal and administrative services.

Tuition for Immigrant Children

Seven years ago, Kansas legislators voted to allow the children of illegal immigrants to pay in-state tuition rates in our state institutions if they had attended a Kansas high school for at least three years and graduated or earned a GED in Kansas, met admission requirements to post-secondary education institutions, and signed an affidavit stating that they would seek legal status as soon as they were legally able to do so. About 400 children have met these requirements so far. The House Federal and State Affairs Committee voted to repeal the law as did the whole House. Representative Mario Goico (R-Wichita) spoke eloquently of the need to provide opportunities for these children. Goico himself was a refugee from Cuba who came to the U.S. as a teenager. This push to repeal in-state tuition for children of undocumented immigrant has gotten fresh zeal with the nationwide outcry about the topic. The League supports keeping the law as it is based on our US League position on immigration. The children had little choice in the

matter of coming to the U.S. The League stands for creating pathways to citizenship for them and making them valuable to society, to turn them into educated, contributing members.

Virtual Schools

Imagine earning high school credits, perhaps even a diploma, without ever stepping into a classroom. There are at least two different types of virtual environments: one is what's called interactive distance learning. IDL is a real-time, live classroom by video link in which you have a teacher on the other end whom you can see and enter into discussion with, even though you may be at a distant location. A disadvantage might be that the class meets for a specified amount of time and on specified days and the student has to be there at that time to get the instruction, just like in brick and mortar schools.

A "virtual school" is online, and a student can log in at any time or day of the week. There are digital video teacher lectures and demonstrations and links to the worldwide web. Some classes are more adaptable to digital technology than others. Performance-based classes aren't a strength of virtual schools. Instrumental music would not be something they offer; students could get a fine-arts credit online, but it may be something different, for example, a Music Appreciation Theory class. There are also some limitations with the science curriculum because there wouldn't be as much inquiry, or hands-on learning that would happen in labs and lab work. There may be a time when a kit could be mailed to the student to conduct with online teacher support.

Beyond the challenge of providing hands-on learning experiences, virtual schools don't have a strong history of academic success, though home-schooling parents like to take advantage of these teacher-provided lessons.

One of the biggest concerns about virtual schools, home schooling

and charter schools is that they are not accountable as regular public schools are. There are no guidelines or measurements established in Kansas. Perhaps the League would study this issue at some point and better understand what is needed.

Public schools are the foundation of the Kansas economy. Communities feel they need their local schools. Consolidation or cutting state aid per pupil not only cuts jobs, citizens feel it cuts into the heart of their community.

Too many people have worked too hard to make Kansas the great state it is. Now is the time to have your voice heard and have those discussions about the needs in Kansas, especially for children. 3

LWVK Endowment Fund

What a difference a year makes in the stock market and in the LWVK Endowment Fund! As of February 22, Vanguard's LifeStrategy Moderate Growth holdings are \$49,302. Coupled with the \$5,000 Treasury Bond, investments total \$54,302. Contributions to date equal \$51,926.50.

Moderate Growth is currently invested in 63% stocks and 37% bonds. Stocks outperform bonds in the long run. Vanguard's LifeStrategy funds are sales-rate free, fully diversified, professionally stock picked, automatically rebalanced, and charges only 2.8% for maintenance fees. Rate of return for Moderate Growth one year prior to 1/31/11 was 16.6%; three years prior, 14.5%. The Treasury Bond pays 8%.

Investment returns are well above the predicted inflation rate. Keeping payout rates in check (the average for endowment funds is 5% based on an average balance over three years) will grow the fund to keep its buying power strong to augment the State League budget when necessary.

Fund Trustees are Edith Bronson, chair; Betty Wyckoff, treasurer, and Ellen Estes, secretary. 3

Testimony on Judicial Selection

by Diane Kuhn

The following testimony was given by LWVK Vice President Diane Kuhn to the House Judiciary Committee on February 16, 2011.

Thank you for allowing me to present testimony on behalf of the League of Women Voters of Kansas in opposition to HB 2101. Frankly, we see no point in changing a judicial selection process that has served Kansans honorably and effectively for many years. A non-partisan Nominating Commission has ensured that candidates for the Appeals Court have been chosen because of their merit, not their politics. Those selected by the governor from their recommendations have served with distinction, free from any political obligations to party or public officials.

The proposal for Senate confirmation of the Governor's appointment introduces a political element League believes unnecessary and perhaps counter-productive. Furthermore, League maintains that judges at every level—District, Appeals, and Supreme—should be held accountable to the public through regular retention elections. Creating a two-tiered system in which sitting judges are required to stand for re-election, and newly appointed judges do not, does not make sense to us common-sense Leaguers. Further we object to the extra expense incurred should senators be called back into special session only to approve an appointee. The judicial system in Kansas, unlike in some other states, is highly respected nationwide for its fairness and independence. Yes, attorneys may comprise the majority of the Nominating Commission, but we argue their professional experience uniquely qualifies them to understand the demands of the position and to assess merits of judicial applicants. They, together with their non-attorney colleagues, can focus solely on upholding the integrity of the judiciary

without regard to any political agenda. Kansans deserve the assurance that any judge before whom they appear is seated because of his merit, not his or her politics.

League maintains a non-politicized court system promotes an independent third branch of government, ensuring the necessary checks and balances of our democracy. Judges must be servants of the law and the constitution, not of politicians or special interest groups.

League urges you not to support HB 2101. We have an effective, non-political selection system. Let's keep it. 3

President's Message, *continued*

especially among the elderly and poor. There are bills to affect funds for schools, medicaid, unemployment, aid



LWVK President
Ernestine
Krehbiel

to dependent children, and juvenile justice; the plans are to eliminate early Head Start and to close 14 more inpatient mental health beds. Yet while the cry is "tight budget," time is being spent on foolish items that spend money. For example, the very least that this proposed Voter Photo ID bill will cost the state will be \$1 million. (Missouri's cost \$13 million over 3 years.) That does not count the cost of providing free birth certificates to any under 150% of poverty (per Federal Courts requirement) that request them.

At a time when the state budget is \$550 million short, there are two amendments being proposed that will cost \$200,000 EACH to put on the ballot. (One that says that a KS law can over-ride the federal health care law. Didn't we fight a Civil War about federal laws being the supreme law of

the land!) And Kansas joined the law suit to fight the Affordable Health Care Act—the taxpayers' dollars are spewing down that drain

Mental health has been cut by 50% in the last two years and they are planning to close two more mental inpatient facilities and cut more. There are plans to cut \$26,000 from special education which will cause the loss of \$100,000 in Federal money. Funds for schools are to be cut; medicaid, unemployment, aid to dependent children and juvenile justice are being cut beyond words.

The Chamber of Commerce that railed against the one-cent sales tax to support schools last year now favors keeping a sales tax IN ORDER TO REPLACE CORPORATE INCOME TAXES IN KANSAS. It is astounding to me how the conversation has been so controlled by those who want to meet the current financial crisis with cuts to the least and the poorest and there is not a word about raising taxes to solve the problem. Why is the governor talking about eliminating income tax and putting state support on sales and property taxes? There is a very strange kind of thinking going on in Kansas right now.

Isn't it a good thing that we have the League of Women Voters to raise the flag and contact all our grassroots networks.

The LWVK board is recommending the proposed study of who pays the taxes in Kansas. We will discuss this and the other issue that was proposed (schools with no requirements—home schooling, charter, etc) at the **LWVK Convention on April 30 in Emporia**. But sooner than that, we will have a panel discussion on **March 24 in the League Day at the Capitol**. Come and ask good questions of our panelists, one of whom will be from Governor Brownback's office. 3

National Notes:

■ LWVUS Project: Women in the Americas: Cuba 2011

The League's Global Democracy Program is excited to announce a new project in Cuba. The goal of this project is to carry out research on the current political and civic role of women at the grassroots level in Cuba. The League strongly believes that learning first-hand about Cuban women's political and civic participation is extremely valuable for both women in the United States and throughout Latin America. The League will conduct research on leadership styles, grassroots initiatives and various indices of women's political involvement and advancement. Collection of data in Cuba will be done over a period of twelve months. A monograph on the findings will be distributed to the League's 150,000 domestic members and supporters as well as international partners. 3

■ National Discussion Lists

You can get on a national League discussion list; a member can sign up for one or more and keep in touch with members and ideas from across our wide national membership.

To get on an e-list, go to www.lwv.org. Log in and go to members tab. On the right side you will see: League-Sponsored Email Lists. Click on that link and you will see all the lists which you may join. Check the ones you wish to join. Lists focus on different topics, so click on the descriptions first to find the ones that interest you. 3



Patricia Donath, left, is a member of the Board of Directors of LWVUS and is the Board's liaison for the state of Kansas. You can meet her at the state convention

on April 30 in Emporia. 3

Sunshine Week

Sunshine Week is to raise awareness of the importance of open government to everyone in the community.

§ A televised panel and questions sponsored by LWV-Wichita Metro and the Kansas Sunshine Coalition on March 13 from 10:00–11:00 a.m., broadcast on KAKE TV and also available on www.KAKE.com.

§ A Sunshine Week Webcast on Friday, March 19, from 11:00 a.m.–1:00 p.m. Central Time, sponsored by LWVUS and Open The Government. Hear transparency experts from inside and outside government discuss sunshine initiatives and their effect on the public. Panelists will also take questions from the live and viewing audience. You can watch the webcast on your own at the LWVUS web site, or with a group at the Lyon County Law Library. To attend the webcast in Emporia, contact sgfowler@lyoncounty.org. 3



**KANSAS
LEAGUE OF
WOMEN VOTERS**

REGISTER NOW FOR DAY AT THE CAPITOL

Registration Due by March 20, 2011

The cost of League Day at the Capitol is **\$20.00** per person and includes coffee, juice, and pastries in the morning as well as the noon luncheon and dessert during the afternoon session.

**Please tear off this portion, make your check payable to LWVK, and mail both to:
LWVK, PO Box 2366, Topeka, Kansas 66603**

Name _____

Number of paid reservations for March 24 League Day at the Capitol _____

Name(s) of Legislator guest(s) confirmed _____

**LEAGUE OF WOMEN VOTERS
OF KANSAS**
Call to 2011 State Convention
April 30, 2011



Theme:
**New
Horizons
LWVK**

i LWVUS Board Member and Kansas Liaison Pat Donath will speak on "Advocacy Priorities and the 'Watch' List"

Other programs will address
i "Technology Potential and Pitfalls – from Broadband to Facebook"
i "Education – Good, Bad, and Ugly"

Location – Guest House Inn
2700 W. 18th, Emporia, KS
66801 • 620-341-9199

Guest Room Rate – one night – \$59.00 plus tax and gratuity. Please ask for the LWVK rate when making reservations.

Save the Date!

Nominees for LWVK Office

Officers (2011–2013)
President: Ernestine Krehbiel, Wichita

Vice President: Maryanna Quilty, Topeka

Secretary: Linda N. Johnson, Member-at-Large

Directors (2011–2013)
Eleanor Browning, Emporia
Kaye Crawford, Salina
Sally Dewey, Wichita
Maryanna Quilty, Topeka

Nominating Committee:
Diane Kuhn, Johnson County, Chair
Kay Hale, Lawrence
Diana Solis, Emporia

The above list of nominees will be voted on at State Convention. 3



Denae Lyons, left, Co-president of LWV-Wichita Metro, will represent LWVUS in Brazil as part of a citizen exchange program in April,

2011. 3

Program Considerations

Board-Recommended Study: Restudy of the LWVK Finance Position. Proposed that LWVK undertake a two-year study of Kansas tax policies; it should focus on tax exemptions, tax credits (transparency as to who benefits), income tax and property tax to see which tax policies meet the economic goals. Our current position was last updated in 1993.

Proposed Non-Board-recommended Study: Proposed state study by LWVK to update its education position. Study options for Kansas parents/students that are "off the grid." In other words, school study such as virtual school, charter schools, home schooling, and any other alternative form of public education that do not require the same standards for teachers, students, etc., as other Kansas public schools.

The Board thinks this is definitely a worthy study and hopes that local Leagues may tackle this and bring the gained knowledge to the attention of all Kansas Leagues—perhaps for a concurrence at a later date. 3

League of Women Voters of Kansas

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The *Kansas Voter* is published by the League of Women Voters of Kansas, a nonpartisan political organization that encourages informed and active participation of citizens in government. The League works to influence public policy through education and advocacy. LWVK is affiliated with the League of Women Voters of the United States and with local Leagues in Kansas communities.

President Ernestine Krehbiel
Editor Linda R. Johnson
www.lwvk.org