

3 area school districts request mediation in land dispute

(KMZA)---Three area school districts have jointly petitioned the Kansas State Board of Education to initiate a formal mediation process and appoint a mediator as the next step in an ongoing dispute over school district boundaries.

The request was submitted Wednesday to the State Board by the Kriegshauser Ney Law Group, of Olathe, on behalf of Nemaha Central USD 115, Jackson Heights USD 335, and Vermillion USD 380, and comes after months of stalled negotiations with Prairie Hills USD 113.

In January, the USD 113 school board voted 5-2 to close the Wetmore Academic Center at the end of the 2022-2023 school year.

Of the roughly 125 students who attended that school, a release from the law firm says the majority have chosen to attend public school in adjoining districts while others have left the public school system altogether.

The release says USD 335, in particular, is experiencing extraordinary enrollment growth as a direct result of the school closure. At the start of the 2023-2024 school year, USD 335 welcomed more than 100 new students who formerly attended school in Wetmore.

“We have gladly accepted the responsibility of educating these students within our district,” said USD 335 Superintendent Jim Howard. “We have added bus routes, hired new drivers and teachers and anticipate substantial increases in a number of other costs, including fuel, food service and educational materials. Unfortunately, we haven’t received any of the base state aid to educate those students this year and we don’t currently have the property tax base to support that increase long term.”

The release says Kansas law provides a process for school districts who have experienced a substantial and material change in circumstances to petition for transferring land from one school district to another when it is in the best educational interest of the affected school children.

“In April, we initiated good faith negotiations with USD 113 to discuss the transfer of land to USD 115, USD 335 and USD 380, respectively,” said USD 115 Superintendent Tavis Desormiers. “Together, we have thoughtfully presented a uniform proposal for new boundary lines that accurately reflects the educational needs of the students and preferences of the landowners. Unfortunately, those interactions haven’t brought us any closer to an agreement with USD 113, and we are hopeful that formal mediation will produce an outcome all four involved

districts can accept.”

Prairie Hills USD 113 issued the following response Thursday :

Sabetha--Yesterday, three northeast Kansas School Districts filed a legal maneuver to diminish local control of the USD 113 Prairie Hills schools. USD 115, USD 335, and USD 380 dismissed an opportunity to continue ongoing conversations and resolve northeast Kansas education issues at the local level.

USD 113 Prairie Hills Superintendent Todd Evans said, “I am deeply disappointed that three neighboring school districts rejected an opportunity to discuss differences school district to school district and superintendent to superintendent but have instead chosen to involve outsiders in a traditionally local matter - educating children.”

Earlier this year after a long, systematic and painful process the local Prairie Hills school board voted 5-2 to close the Wetmore Academic Center. Evans said, “Closure was an emotional and painful process. Nobody wanted to close a school, but we involved the community, followed the law and made a fiscally responsible decision at the local level in the best interests of all of the Prairie Hills students.”

At the time of closure USD 113 made the commitment to educate all students who live in the geographical area comprising USD 113. This includes the Wetmore area. USD 113 has adequate classroom space, sufficient staff and the buses and drivers to bring each student to a USD 113 school.

USD 113 initiated the discussion of transfer of territory with a written proposal to each of the three school districts, accompanied by an explanation for suggested transfer. Evans said, “The USD 113 board is sensitive to the request that residents have representation in the school district in which their children attend school. Our proposal to each of the districts focused on this goal. However, none of the districts were willing to discuss, school district to school district, reasonings for their demands.”

Chad Tenpenny, Tenpenny Law LLC, serves as legal counsel to USD 113. Tenpenny said, “We welcome the opportunity to engage in a structured and professional mediation process where confidential conversations are happening directly between individual school districts without the involvement of interest groups who frankly sometimes appear more concerned about a statewide agenda than what is beneficial for local northeast Kansas students. Should mediation not produce a reasonable solution, we look forward to advocating on

behalf of Prairie Hills taxpayers, parents and, most importantly, students before the Kansas State Board of Education.”

Tenpenny also said, “Unfortunately, due to many forces beyond our control, population is declining in rural America, which presents significant challenges. The USD 113 Board has acted prudently and courageously. Local rural people ought to be looking for ways to work together, make the best of their local situation and visit like neighbors instead of reaching out to government forces in Topeka for solutions on a local issue like educating children.”

Superintendent Evans said, “We have been diligent about following the law written by the Kansas Legislature. With that in mind, our board has an obligation to the taxpayers and patrons of USD 113 to provide financial oversight of our resources to meet the responsibility of educating USD 113 students. We will continue to strive to fulfill that obligation.”

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