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Sherry Chisenhall, Editor
The Wichita Eagle
825 E. Douglas
Wichita, KS 67202

Dear Ms. Chisenhall:

Your misleading story “Kansas AG uses outdated school finance figures in court filing” gives a false impression about the law and the facts in this important case.

Throughout the deliberations that led to the recent school finance bill, Legislators of both political parties accepted that \$129 million was the “magic number” that would fully satisfy the Supreme Court’s order regarding equity – about \$25 million to equalize capital outlay funds and another \$104 million to equalize local option budgets (numbers are rounded).

Now the State must show the Court *why* the Legislature used that \$129 million figure.

As a legal matter, the State must point to information the Legislature *actually used* when it made its decision. The State cannot prove how the Legislature informed itself by referencing new documents that were created or revised *after* the Legislature adjourned and that are not part of the legislative record.

The Department of Education explicitly informed the Legislature, *before it voted*, that \$129 million was the amount of money needed and that the bill under consideration provided that amount of funding. That number is not “outdated” as your story incorrectly claimed. The Legislature approved that amount of money (and more), fully satisfying the Supreme Court’s order regarding equity. Thus, the State now has requested that the equity portion of the lawsuit be dismissed.

Sincerely,

Derek Schmidt
Kansas Attorney General