

Interview of DALE DENNIS by Andy Tompkins, August 28, 2020
Kansas Oral History Project, Inc.

Andy Tompkins: Good morning, I'm Andy Tompkins, a retired educator and former Commissioner of Education in Kansas. Today it's August 28, 2020. We are in the Kansas State Board of Education meeting room to conduct an oral history interview of Dale Dennis, deputy commissioner of education of Kansas. With me is David Heinneman who's serving as videographer to record this interview. Dale's interview is part of the Kansas Oral History Project series, examining the development of state education policy since the 1960s.

The Kansas Oral History Project is a not-for-profit corporation created to collect and preserve oral histories of Kansans who are involved in shaping and implementing public policy during the last half of the 20th and early 21st centuries. Recordings and transcripts of these oral history interviews are available to researchers and educators through the Kansas Historical Society and the State Library of Kansas. The Kansas Oral History Project is funded by private donations and a grant from Humanities Kansas.

Dale Dennis grew up in Mapleton, Kansas, where his father operated a gas station. He graduated from Blue Mound High School and received three degrees from Pittsburg State University, a bachelor's degree in business education in 1959, a master's degree in business education and school administration in 1966, and an education specialist degree in school administration in 1983.

Dale taught at the Blue Mound High School from 1959 to '60 and '61 to '65, serving in the Army National Guard during '60 and '61, and then he was principal at La Cygne High School from '65 to '67.

Dale began his service at the Kansas State Department of Education as a state school finance administrator in 1967. During his fifty-three years at the State Department of Education, Dale has been appointed interim commissioner four times, and currently he oversees the administration of approximately five billion dollars in state and federal funds that flow through the department to unified school districts and nonpublic schools. He also serves as the liaison for the department and the State Board of Education to the Kansas legislature and governor.

Dale has received numerous awards for his service in education in Kansas and was recently named Kansan of the Year. Good morning, Dale, and thank you for being willing to contribute to this oral history project.

Dale Dennis: I hope, sir, it's a contribution.

AT: We've all been excited to have a chance to talk to you because we think, "How do you capture fifty-three years of this service and all that you've done in that period of time?" I want to start because when you came to the department, it was a unique time in our history because we just passed the Constitutional amendment, was it '65 or '66?

DD: '66 is when we passed the Constitutional amendment. It was before I got here.

AT: You came in '67. So we didn't even have a state board seated then, did we?

DD: No, it was operated by the State Superintendent of Public Instruction, elected officials. Shortly after I arrived, Mr. [W.C.] Kampschroeder who was serving as State Superintendent, [1996-1967] he was killed in a car wreck. Then Murle [M.] Hayden took over to finish out that term. [State Superintendent of Education (1967-1969)]

AT: Then when the board was seated, they selected their first—

DD: The board was seated in '69, and then they selected the Commissioner of Education, and they have since that time.

AT: It dawned on me, thinking about you coming here, you've known every state Board of Education member.

DD: I think, if I'm not mistaken, there's been eighty-four different state board members.

AT: And a real variety over time.

DD: Yes. There was quite a variety. In that group, there were some really outstanding people though.

AT: Give us a couple of examples of people that really—

DD: One was Mr. Frazier, an early chairman, and another one was [state Senator] Tim Emert. Those two guys, the reason I remember them, I watched them, and I appeared before them. When I could see they were no longer interested, I knew there were six votes. They were very good. "Give me the facts, and I'll make the decision." They were very good. There were several that went on to serve in the legislature, but those are the ones that come to mind that quick—good people. Tim Emert has served in many roles, for example, but they were good people. Mr. Frazier, he was one of the first. You were kind of cutting a new trail, but he did a nice job, and he was a good chairman.

AT: What were some of the early issues that they had to deal with when they got started?

DD: At that time, the agency dealt a lot with—probably too much-- with rules. It was more of a regulatory agency. So, most of the issues that come up then was of a regulatory nature—the rules and regs are policies that relate to that. It wasn't as much customer service as it has to be today. It's more regulatory agency. You're dealing with regulations of some type. Also at that time, good, bad, right, or wrong, the legislature had a lot of influence because they controlled your budget. It was very restrictive.

One time, we went across the street, it was a little bit later than that. I went through and identified and reviewed every position in the agency one by one.

AT: They wanted to know about everyone.

TM:&One person who chaired the committee did. So you went through it. They wouldn't think about doing it today. Every position, the name, who fills it, and what do they do. So we went through and identified every one of them. The committee as a whole didn't necessarily support that, but the chairman did, and the chairman's subcommittee called the shots, and we went through it. There was much more monitoring on trivial things.

AT: Like direct oversight.

DD: Direct oversight on little things that was operating costs. You were very careful. You wouldn't buy a piece of floor covering unless it was approved. It was much more detailed on what they did and didn't do.

AT: So when the state board was seated and they began, what was their new role?

DD: That was a gradual process. I think the state board, one of the things, they listened because they were elected. They listened more to the field—the board members, the teachers, the administrators. An agency gradually transitioned to a more of a service.

AT: They felt closer to the field, I think. If I remember right, they are elected—they have four senatorial districts for each—

DD: Each one of them represents four senatorial districts. They heard more—they were elected officials. We become more of a customer service agency than we had been in the past.

AT: When I was here with you we talked a little bit about this. Over the years, there's been some talk, they were designated as a fourth branch.

DD: Yes, that would come up once in a while, as a fourth branch of government. It was because of the way the Constitution was worded. The State Board has authority over the licensing of teachers and the accrediting of schools. Some policymakers didn't like that. They said we didn't intend that. It came up, they tried to change the Constitution at least twice, maybe three times, and it failed each time.

One time there was a movement afoot to try to somehow merge, put the Board of Regents in with us. That wasn't their goal, to put them together, but in the Constitution, the legislature could assign what duties they wanted the Board [of Regents] and what [duties] they wanted the State Board [of Education]. The bottom line is they tried to change the Constitution twice because of that. The public did not buy it.

AT: They also had a time, I think, when they were talking about trying to change it so you didn't have to have an even number.

DD: Yes. They wanted an uneven number. Part of that, Andy, was they wanted to get rid of that self-executing power. That was another one, make that the issue, but the issue was really the self-executing power. The odd number, it hadn't been a big issue. Seldom do they have a 5-5 vote. I don't recall the last time. That wasn't the issue. The issue was that self-executing power. The legislators in the past had full control, and now on those two things, they didn't have, and the Supreme Court withheld that opinion.

AT: If I remember right, and I'm sure you're probably the one who told me about this at some point, wasn't there kind of an early case with Peabody or someplace where they were testing what authority they had or whatever? [NEA-Fort Scott v. USD No. 234, 1979; State ex rel. Miller v. Board of Education, 1973]

DD: Yes, there was a Fort Scott case and the Peabody case, they called them, and both of them was to find out what authority the State Board had in essence, and they ruled that they had authority for licensing teachers and accrediting schools. We go through the process, but the state board is the final authority on those issues.

AT: Obviously we're here to talk a lot about school finance. You're the authority on school finance. As a matter of fact, I know you've even helped some other states who were trying to do something with their particular school finance. Let's get talking about this. How are they funded initially before the state board started? We had that in '72. [Caldwell v. State of Kansas, 1972] 1992 is the biggie, obviously.

DD: I tell you what, back in the earlier years, primarily all it was was so much per pupil. It started out in elementary and went to high school, so much per pupil. Bear in mind, the legislature has control of the money. Then in '72, while we had the first real lawsuit that went anywhere—I tell you what, the attorney that handled that lawsuit on behalf of the school district in my opinion was outstanding. That was [state Senator and Governor] Robert F. Bennett. His name may not have been as the lead attorney, but he's the one that did the work.

It's interesting to note over history, you'd never guess the school district he used as an example that had nothing—De Soto [Kansas]. I remember him talking about how many hammers they had in their shop class, like four hammers or something. He really did his homework. He was a very bright guy on that. It was an equity issue.

They adopted then in '73 with some court action involved, but it didn't go very far. The legislature redid the financial formula. But it was geared to equity more than the other issues we talk about in today's world, which we'll get to later on. It was an equity issue. It was based

upon your local wealth. You had a foundation amount, and then your local wealth determined how much state aid you got.

That was helpful. Not many people may agree with this, but I truly believe—it lasted until 1992. That's about nineteen years. It would have last, I think, truly longer if the legislature had funded it. We have a habit—records will show this—we fix something. Then we think it's fixed. So the next few years, we don't do anything. When you've got inflation, then you go backwards. That happened on numerous occasions. We didn't keep it up-to-date.

Then in '92, we were getting in pretty bad shape. We hadn't funded it. We didn't raise the base as we should have, and there was disequalization involved also. In '92, I'll never forget some of these things that went with '92. It happened to be in Judge Terry Bullock's court. If you know Terry Bullock, who I was not a personal friend. I just knew him in court, but he was very bright, a very good writer, and he called the attorneys in. This is kind of his style.

He called the state attorneys in, and he called the local school district attorneys in. He said, "Okay, school attorneys, what does it take to settle this case?" They told him. He asked the state, "What will it take to settle this case?" They couldn't speak for the governor and the legislature. So the judge said, more or less, "It looks like to me we've got the wrong players here." They agreed in a very congenial way. "We'll talk to the House leadership." I was assigned the duty to help get the House leadership there. That was my job. Somebody said, "What about the governor?" Unusual. Judge Bullock said, "I'll take care of the governor," and he did.

The judge really did a masterful job in setting this up, I thought. We met in the old Supreme Court room over there. We had nine legislative leaders, big dogs, and really good people. The judge came in. He said, "I will not answer policy questions. I'll answer procedural questions." He said, "I'll be over here in this corner office, and I'll have a person here, a runner. If you have questions on procedure, I'll answer them. But here's the peanut. I've talked to attorneys on both sides. The question is, do you want to solve this problem, or do you want me to go to court because I'm scheduled for court in two weeks. We'll go to court. You decide this, and you let me know. And if you agree you can solve it, the attorneys have agreed, and you can solve it in the next session." This is in the fall of the year.

They had a big long discussion on it. [Joan] Finney was governor. They agreed they'd appoint a committee. This was masterful in my opinion on her part. She appointed [Representative] Rick Bowden as chairman. Rick Bowden was a former teacher, coach, and so forth. What made Rick so special—one is, he cared. He was passionate about it, but also the legislative leaders appointed membership, but Rick wouldn't let them off a committee [get off the subject]. Some of you have sat through a committee, and the subject is supposed to be something, and they get off track. Rick wouldn't let them off track. We didn't have much time. He kept them on track. Numerous times, legislators were getting off track.

We had some experts come in from out of state that had [different] theories and stuff. I never have told this, but we got those experts. We listened to that testimony. One day with Mr. Bowden and I and Ben Barrett, we—

AT: Ben Barrett was a legislative—

DD: Legislative Research Department. We worked out the formula during lunch hour. It wasn't brain power on our part. We listened to a lot of people. We listened to the committee. We thought we knew what was wanted.

We came up with a formula that we thought would work, and the committee with modifications—any time you're going to go through a committee, you're going to change something, and they did, and most times it was better. We came up with a formula.

The formula got worked out, a whole different theory in the formula. In '92, we got ready to put the details on it, and I'll never forget this. This was really unique. The Democrats were in charge of the House at that time. We ended up meeting—we got it down in the House and the Senate. We had some problems, and we got it down pretty well refined, but there were still several issues to resolve.

We met in the Speaker's office, [Marvin] Barkis's office. There were about seven or eight House members, leadership people, people like Kathleen Sebelius, Bill Reardon, George Teagarden, Joan Wagon, several people of that caliber. What made it unique, and I'll never forget this, they get in a big hot argument about something, and somebody would get ticked off. It was like brothers and sisters. They go out and walk around the House and come back, and it's like nothing happened. It wasn't a personal thing.

But they discussed that and about the time that things would get red hot, Speaker Barkis would come in. He'd been on the floor. He'd walk in and say, "What's your problem?" They'd tell him what the problem was. He said, "What's the answer?" Barkis did this more than once, and I thought it was kind of cool. "What's the answer?" They'd tell him the answer. He said, "If that's the answer, then do it." That was his philosophy. If that's the right answer, then do it.

Anyway, they got it pretty well worked out. We got down to one of the last evenings. I'll never forget it and never did tell this either. I was in a second-floor conference room with Mr. Bowden. I think Mr. Barrett was with us and one of the governor's assistants. We called her and asked if the changes had been made, if she would accept them. After quite a wild discussion, she said yes. Then it moved forward.

In that process, you had other people in there that was good folk. State Senator] Joe Harder was around at that time. He was a special guy in a way to me. He didn't like printouts.

AT: And you've been known for printouts, right?

DD: He'd tell me, "We're not going to do printouts this time." I'd come back and run them and get it ready and have them just sit there. He'd call up and said, "We're on the floor. How long will it take you to do a printout?" He said, "They won't vote on it until they see a printout."

Well, we kind of thought that might happen. In ten, fifteen minutes, we ran them over there. "Here they are."

AT: He couldn't believe you already had them, right?

DD: One thing that was unique, he would look at them, but never in his own district. Before he got ready to go home, he did this more than one time, before he got ready to go home and leave the session, he said, "You'd better come over. Let's go review what we did and how to fix my district." He was really supported equity. He wanted to be fair. It wasn't about mine or yours. It was what's right.

Another one that I can think about back in some of those days was a guy by the name of Don Crumbaker [state Representative]. Mr. Crumbaker was a gentleman from Brewster, Kansas, highly respected, and I was told this, that he didn't have an opponent in one of the elections. Mr. Crumbaker didn't worry about that. He just did what he thought was right.

Anyway, the word on the street was the governor at that time was [John W.] Carlin, called up and told the Democrats, "Leave him alone. He's the best man we've got." That don't happen very often. He said, "He's a good man. Don't bother him," and they didn't.

AT: So it changed the formula pretty dramatically, right?

DD: Yes. There's another little piece in there a little earlier. We did that one in '92, and it changed it dramatically. What it tried to do, and this is significant, it tried to give you a base amount per pupil, for every kid. Then you adjusted each student based on their exceptionalities. If the kid is at risk, you get more money. If they're bilingual, you get more money. If you transport them on a school bus, you get more money. They adjusted the student's enrollment based on the kind of kid, and it got in a lot more to the equity issue.

We started out with a high 35 mills levy, and then we dropped it down. Cutting taxes became popular several year later. It got down to twenty mills now, and that comes to the state. They levy twenty mills now, and it comes to us [state of Kansas], and we fund their [school district's] general fund.

But there was another little piece in there we don't want to forget. Somewhere around 2000, there was another court suit filed.

AT: Was this the one referred to as Montoy? [Montoy v. State of Kansas, 2005]

DD: Montoy. What was happening was we hadn't kept it up to date again. What happened during that time that I thought was significant for the record is that [case] was primarily based upon at-risk and special ed. Let me give you an example of what I mean. We got special ed up to 92 percent of excess costs, which the law provides. [Senator Anthony] Tony Hensley put that in there. He's the one who made the motion to do that.

Anyway, 92 percent. And we got up, in 10 [2010] and 11 [2011], we're 92 percent. They built it up. At that time, they had a three-year phase-in on at-risk and bilingual [funding]. We did it. In the tail end of the session, in the last year, we cut it [general state aid] 20 million dollars. Then over the next three years, we cut the base over 650 dollars. We went from 4,433 dollars [per pupil]. We started out that eight, nine years, and three or four years later, we were down to 3,780 [dollars per pupil].

AT: Then you had another one [court case]. This time it was on adequacy.

DD: That was the 2010 case. Then it was on adequacy. That had a lot of interesting—the legislature, they were worried about money and all that, and so they hired a study. They chose who they wanted. They gave us the money, but we went to them. They chose who they wanted. They chose a firm called Augenblick & Myers. They did really overall a pretty good job. They came back with a price tag that was a lot of money [to meet the law's requirements].. That ticked them off, the legislators, the leadership at that time. They were unhappy.

So they said, “[Legislative] Post Audit, you do it.” Well, Post Audit did a study. They came back with the same thing. There wasn't much difference. In the Post Audit study, there was a little phrase in there, that one percent increase in money will result in a—I think it was a 0.83 percent increase in achievement and said in essence it's one for one. That was their own people [legislative staff].

Well, they weren't really pleased about that, but the court case then, it was filed on Gannon, it was about 2010. [Gannon v. Kansas, filed 2010; ruling 2017, 2018, 2019] That lasted for about ten years. The amount of paperwork that went to the court on that or computer stuff was voluminous. But the judges involved in that were really bright. One of them I can recall was Franklin Theis, Judge Theis. He was a little bit like Terry Bullock. He wrote what he believed. Politics had nothing to do with it. He did what he thought was right. He was a good writer and so forth, and he did a good job.

AT: Was he the district court judge? [Franklin Theis, District Court Judge, Shawnee County, Kansas]

DD: The district court judge at that time. He wrote a phrase I'll never forget, page 125 I think it was, of the thesis [opinion]. He said something like this, “It is illogical to say you have no money when you've cut taxes, and you're trying to cut it more.” That's paraphrasing it, but that's what

he said. It's illogical. Not many judges would be that brave to say that, but he believed it. Saying that you don't have any money when you just got through cutting taxes and you're trying to cut more is illogical in his eyes. He put that in writing.

The Gannon case, while we had—it mostly dealt on adequacy and lasted in essence for about ten years. I don't think it's ever going to end. And because of what happened in history—do you remember I told you on the Montoy case, we went three years, and they said, “You met the requirements,” and then we started cutting [the base budget per pupil]. We went from 4433 dollars [per pupil] down to \$3780. That's a lot.

AT: That's a lot.

DD: They had to cut it. Anyway, during that time, that was really rough financially. The other thing that was happening that made a big difference in those years and those cuts is we're not getting increases was, we were not treating our teachers fair. We rank about 40th in the nation in teacher salaries, give or take a little bit. Andy, that ain't right. We ought to be at least in the middle.

One of our problems is recruiting teachers to stay with us. That was an issue. Somebody come out of school, you hire them, and they work three years, and their salary is the same as it was three years before or maybe even a little less. They'll say, “I can do better than that” and do something else. It hurt us educationally because we didn't treat our teachers right. It's easy to say though that that's the local board, but if they don't have it to work with, they can't do it.

AT: Really in our historical perspective, that '92 formula is still alive and well. It's just how much you fund, the way that formula works, and so forth. Is that correct?

DD: In essence, that's correct. The basic formula is there. It's been adjusted for at-risk, for bilingual—

AT: Special ed.

DD: Here's what happened. When we had the special ed lawsuit on the part of the Montoy case, they dropped that. This last case was on adequacy. Special ed wasn't a part of it. If the special ed wasn't included in the district court in the history of it, then they won't be discussed. Andy, we're down to 72 percent excess costs in special ed this year, as near as we can compute.

AT: And there's a law still saying 92 [percent]?

DD: The law still says 92 [percent]. But all the concentration on Gannon was adequacy, at-risk, and bilingual. Most of it was on the base. I admire the Supreme Court's justices on this. They stuck to what they thought was right, their principles. I don't believe they let politics influence their decision at all.

Then because of what happened in the past, like the Montoy case, they dropped it, and everybody agreed. That's fine. Then this time, the Supreme Court signed off on the formula, the attorneys for the plaintiffs came on very strong that you have to retain jurisdiction. What they were kind of saying in a nice way, "We don't trust what will happen in the future."

AT: They were basing that on the history of it.

DD: On history. Right now, the Supreme Court still has jurisdiction. If things go awry on things related to that, and they adopted about a five-year plan. It was tough getting there. The first year, they went up about 6-1/2 percent, and then it goes up 3 percent on the base each year. Then after that, and the Supreme Court signed off on that, and then it will go up based on the Consumer Price Index. We've got two more years, and it's going up about 3 percent each year at about 100 million a year, and that sounds like a lot, but the formula has probably eaten up—just the formula itself, three billion. It's about 3 percent.

Anyway, it's in better shape now than it's ever been, but we've sure gone through a difficult process.

AT: To get there.

DD: But if you think about it, if you go back and just kind of summarize that, in 1972, it was trying to equalize it. That lasted about nineteen years, and we didn't keep it up to date. Then in '92, we bought the new formula, and we went back to court in—it started in 2000, and it ended in about 2005. Again, we didn't keep it up to date.

Then in '92, issues had changed and a different interpretation of the Constitution. Then it was about adequacy. What happened is they put in a law, what's expected of kids, KSA 72-3218 [is the new statute number.] They've recoded that, but that's in statute, what's expected of the kids. The court says you've got to give them enough money to let them do that job.

AT: So this in terms of their achievement. Is that correct?

DD: That's right, achievement levels.

AT: It's been kind of an ongoing thing, but one of the keys—I've heard this from some of the other interviews—is that '92 formula really set the stage for this, the history from then on.

DD: It did. There's other people involved in that, some good people involved. [Senator] Steve Morris was around the legislature then. Tony Hensley, the Kerr brothers, [Senators Dave and Fred Kerr] all bright, sharp people. The reason I mention them is, it wasn't about politics. It was about doing what's right. They involved the other party, whatever it happened to be. At numerous times—Steve Morris was good at this—it wasn't uncommon at all to go over and

meet. He'd have [Senator] John Vratil and the chairman of the committee, whoever it happened to be, and he'd have Tony Hensley there.

AT: So he'd have someone from the other party.

DD: That's right. It was about doing what was right, not politics.

AT: Talk a little bit about, because we haven't talked about this, one of the public policy issues that I know about that we've had several things, discussions on over the time, there's been studies on, and that's the issue of consolidation. Normally, that's been a money saving, right, where they're trying to find some way to save money. Can we do it through fewer school districts? What's been our history on that particular issue?

DD: Okay. In consolidation, we had the big consolidation in the early sixties ruled unconstitutional, and they come back and pass another law that stood up as constitutional. Some of the districts just didn't move. They didn't do it. The biggest one in that was Shawnee Mission. Bennett, when he was in the Senate, he took care of that. That was in 1969. He said, "We've got to straighten that out," and they passed a law—there were two other districts, but Shawnee Mission was the big one. They consolidated them, which [temporarily finished consolidation].

This is kind of the way I describe the court's theory. The legislature has the authority to consolidate [or] close districts. They've got the authority to do that. But if you allow them to exist, you cannot discriminate against them. You've got to give them the resources to let them take care of the kids. The kids don't suffer because of that.

The formulas designed on transportation, the formula itself, and all the weightings, the low-enrollment weightings? It's designed so all of them can do that within reason. Now when you get down to below a hundred students, it's really difficult to do. I don't care what you do.

AT: And we still have some districts under a hundred, don't we?

DD: Yes, we do, but it's their choice. The legislature is providing incentives to consolidate, and they did some of that. But right now, the real peanut is local people make the decision. Legislators, as a general rule, don't like to vote on consolidation.

AT: Right.

DD: One quick sideline, I'll never forget that, we were in a [legislative] committee meeting over there, just after a consolidation of several years. There was a gentleman from Norton, Kansas was in the House, J. C. Tilletson. He got defeated over that consolidation. He later came back to the Senate, and he was in the Senate. I was in a committee meeting where Senator [Joe] Harder was chairing the committee, and somebody brought up that consolidation. Tilletson stated

more than once, "Mr. Chairman, I make a motion we adjourn." That's a nondebatable motion, I think. We may have adjourned at noon.

AT: Is that right?

DD: They didn't want to talk about it, and I've seen him do that more than once. He understood the sensitivity of it, and he didn't want to talk about it, and he had support, and it wasn't something planned. It's very politically sensitive. It's amazing, the number of legislators from urban areas is much larger than it is in rural areas. A lot of the people, urban legislators, came from rural communities, and they're still loyal.

The formulas are all designed, and we're always going to have small schools in Kansas, they're designed to try and equalize it, regardless of your enrollment. That low enrollment weighting thing is a big deal. I'm telling you, without it, they couldn't exist. It's very, very important. It used to be very controversial, and they'd bring it up and all that, but in recent history, everybody has accepted it.

AT: That you're going to have to do it.

DD: The median-sized district is probably 550 kids, half above, half above. You ask most people, "What do you think the median-sized district is?" They'll say about 2,000, but it's 550 kids.

AT: In Kansas, it's smaller, isn't it?

DD: That's right.

AT: What are we down to? The policy of incenting them to consolidate has had some results, right?

DD: It did for the first few years after they passed it, but in the last three or four years, it hasn't had much effect.

AT: How many districts do we have now?

DD: Two hundred and eighty-six.

AT: And after unification and they solved all of that, were we around 300?

DD: It was up about 320. Some of them were small. The boundary lines were decided before my time, but how we chose boundary lines for schools was unique. It was decided locally.

AT: Is that right?

DD: There was a local committee, and yet certain criteria—three criteria to be a unified district, if you met that criteria. But there was a local committee within the county, and the people decided where they wanted to go. There were some boundary lines. If you had a farmer and he said, “I want to be in this district,” and it's adjacent to it, they may put him in. You just draw it around.

But the lines in some cases, they go up here and come back down and have a—we have some districts, the one out in Deerfield, it's like six, seven, eight miles wide and forty miles long, but that's what the people decided. You have a lot of boundary lines that are really unique.

For example, take around Hutch[inson]. I think the airport and some of the Hutch is in the Buhler district. Some of it is in the Nickerson district. Here in Topeka, in the boundary of the city, I believe that Seaman, Auburn Washburn, Shawnee Heights—there's probably four districts at least that has territory in the city of Topeka. Shawnee Mission, it was the rural high school district there. I believe their district incorporates thirteen cities.

AT: Is that right? Wow.

DD: It makes it a little challenging.

AT: But that's interesting that the local made a decision on where they wanted some of those boundaries.

DD: There were some, I was told that in county, they were fighting about the boundary, and two old farmers got in a fight on the courthouse steps.

AT: Is that right? It was a big deal to them.

DD: They were disagreeing on where they were going to draw the boundary line, and you had to vote on it. You voted on it, but it was—the people decided where they wanted to draw the line. There's some unusual lines because somebody over here, they want to go this way, and somebody over here want to go that way.

AT: They had to come to some agreement.

DD: That's right. Serving on that committee was not necessarily fun.

AT: I don't think it would be something you wanted to do.

DD: It was challenging, difficult. It's kind of interesting, too, what we ended up, like Galena. Galena's got, I don't know, 800 kids, and the median is 550, but they're the smallest in square miles. We don't count Fort Leavenworth because it's a separate unique deal. They're like thirteen-and-a-half square miles.

Syracuse, out in southwest Kansas, they have 992 square miles, and they have less than 400 kids. Yes, somebody who's the largest district in the state, it depends on what part of the state you're talking to, who they're from because Syracuse at 992, many don't realize this, but the second largest is Garden City.

AT: And that's all in the square miles.

DD: It's in square miles.

AT: One thing, Dale, I don't want to miss out on being able to talk about this, you worked with a lot of legislators and governors over the time. Talk a little bit about your—you've been basically unique, I think, the liaison from the department and the state board to the legislature and the governor. Talk a little bit about how that has come about. I know when I first interacted with you and was working over in the legislature some, you were at the committee table, as if you were staff for the legislature. So talk some about that.

DD: The legislative leaders at that time were good to me. At one point in time, they offered me an office in the State House. I said, "No, no, no, no. That would be a disaster. Don't do that."

Anyway, the bottom line was that they were very good about that, and the questions that come up during the committee meeting, and I was out in the audience. I probably did that for twenty years, sat at the table with the legislative staff, but they'd ask questions all through the committee. So the chairman finally said, "Why don't you just come up here and sit?" So I did that for about twenty years or so.

It was unique, unusual. It probably shouldn't have been.

AT: But it helped to answer questions because they always seemed to have questions.

DD: They'd have questions about a lot of it. Whenever a question would come up, they'd just ask you. The other thing, the chairman through those years was very protective of staff. I've seen several of them, if some legislator would jump on you about something, and it was factual, but they'd jump on you because they disagreed or whatever, the chairman would interrupt them and stop them. He would say, "No, we don't do that." Harder was good about that. Crumbaker was: Rick Bowden was. There were some of them that was good about that.

AT: The decorum that they tried to—

DD: The decorum, yes. That's right. During those years, we had some good governors, too. Bennett, Carlin, [Mike] Hayden, [Kathleen] Sebelius, and [Laura] Kelly had done a good job. The other thing, too, Finney, if you look at her record, what she did when she was governor, she did pretty good. She was governor, and this was all passed. There were some good governors, and

they cared about the state. For a lot of those people I mentioned, politics wasn't their big—that wasn't their #1 priority. It was doing it and making good policy. That's so important.

AT: It seemed like your relationship though really made a difference. Many times, it seemed like an agency comes to answer questions, provide a report or so forth, but it seemed to me in over all these years that you've been able to kind of transcend that time for somebody to report to a colleague, a person that they feel that they can trust, a person that they count on to help them in creating new policy, too. I think that's been important, don't you?

DD: You get quite a few calls that say, "I'm thinking about doing this. Tell me what the bad part is." In the agency, I tried to act like legislative staff a lot of times. You knew what was confidential. If a legislator called and asked you a question, you never told another legislator that you had that call. You didn't do that. You were respectful of the person that called, and you didn't try to play one against the other. You tried to develop a decorum that whenever they asked and what you told them stayed confidential. You didn't talk about it. If somebody asked you—this happened numerous times—about something related to that question, "Have you talked to anybody about that?" "Yes, sir, I have." "Tell me about it." "No, sir, that would be unethical. I can't do that."

In printouts, we used to average a hundred and some a session.

AT: That's different ideas that you had to do.

DD: Yes. You never released a printout to a person unless the person who requested it had it first. The other little unwritten rule, once in a while this happened, somebody may ask you for the same thing, the same printout, and it's the same thing. So what I did, I don't know what the rest of them did, what I did when I had a request like that, I'd go back to the legislator who asked for it first and tell them, "I've had another request. I want you to know that that will be out among the public. I don't know what the legislator is going to do with it. I want you to know that ethically that they've got it, that somebody else had a copy." It may be somebody in their party It may be a different house. It didn't make any difference. You always respected the person who asked for it first.

AT: You went a long ways to help build that trust, where they wanted to work with you and felt like that could be confidential about it, I think.

DD: That remains to be seen probably. There was a lot of good people that was trying to do what's right. Again, most of those people, it wasn't about politics. It was about what was right for the kids and the public of this state.

AT: That's pretty important.

DD: I could name some legislators. When I mentioned Crumbaker and Harder, the Kerr brothers are in that category. Joan Wagnon was. It wasn't necessarily one party or the other. Tony Hensley has always been good about that and so on. It was more about the policy and not about the politics.

AT: I want to go to something that I think is unique in Kansas. You probably don't maybe see it this way or want to admit it this way, but I want to go about this by asking this change of feeling between the Department of Ed[ucation], that you talked about early, most of them were seen as pretty regulatory. Then the board started more customer service, and I think that's a good characterization where the board did have people in the area, and they've been elected. But I think you played a big role in that, and I want to talk about that a little bit. I mentioned that to you when we had lunch one day about how did you ever start deciding on doing budget workshops? One of the things you've done, and that was the first time I interacted with you was during a budget workshop. Just talk a little bit about what you've done there for the field, so to speak.

DD: They weren't doing anything like that when I started. I was new and green. I thought that the need was big, and there was a lot of new people in consolidation, a lot of new people. We had a budget workshop, I'll never forget it, on the third floor of the old [KSDE] building [on Quincy Street] over there, and I probably did a poor job on it. That was the beginning. Over the years, while we've refined that, and what we tried really hard to do is to design the budgets so that it's easy for the local district to fill them out. There's a lot of turnover out there.

It probably was in the nineties. We had a person that was pretty good on small computers, Excel and all of that. I called her in one day. I said, "Here's what I want to do, and here's how I want to do it." I said, "I want to do this, and I want to provide it to school districts for free. I want to design it where we make it available. We'll have to have a document that goes with it that explains it."

We did that. It was interesting. We got about done with it, and we started testing it. I had a call from a guy, a vendor. He said he was going to sue us. I said, "What for?" "You copied our software." I said, "Sir, you can do whatever you want to do, but the lady who wrote this program, this was based on the law. She don't know you. She don't know your name. She's never even heard of you." I said, "You do whatever you want to do and do whatever's best." I said, "We're trying to save school districts money and provide them a vehicle." I never heard anything more out of him.

We did that. We gave it to them. Do you remember Chuck Stuart?

AT: Yes.

DD: The superintendent of the Clay Center [school district]? We were working on all of this, and he was active in the nineties. He said, "The problem we're going to have down the road is the

computer is going to do so much of it, they won't understand how it works." We tried to work on that, so they know what it is and how it is. We still have budget workshops, and we distribute the software. It's all electronic out there. They fill it in.

It will do things—we're kind of proud of it, a little bit. For example, if the general fund expenditures don't balance the budget, it won't let them do it. It says, "Check expenditures." I wanted it to say, "You just screwed up," but it says, "Check expenditures." It cross-checks.

There's probably thirty different checks that the computer will check for you and tell you if you've got something that doesn't balance.

AT: So it's a good aid.

DD: I hope it's been helpful.

AT: There's another piece to this deal that I thought was important from a historical perspective, and that's so how you have budget workshops. You help them see any changes, understand the forms, the software or whatever. Then about the first of July, you start another process with them. Talk a little bit about that.

DD: Which one do you mean?

AT: Where you work with each one of them on the budget.

DD: Yes. What we do, we have budget workshops. Those vary depending on the legislature. We will have all the software out. They'll get their budget all done. Then there'll be at least 260 of them, we'll bring them in, and we'll check them. We do that just to help them out. This year, there's probably thirty-five, forty new superintendents. We'll review that. We allow one hour per district. You're booked solid for a month. I'll have myself and the director of finance, whoever that happens to be, and then we may bring in one other person to help part time for mail-ins. Some may mail it in, but we'll check about 260 budgets. There's certain things you go through and check quickly to see. You can't be perfect in an hour, but you'll review things.

AT: Certain things you can look for and make sure.

DD: You look for it. Did you spend the money you were supposed to last year? Did you overspend the budget? We tell them, "Bring your laptop with you." If they overspend the budget, we say, "You can't do that." So you've got to go back. We've got to cut it. So we'll cut a transfer out, and you've got to reduce that. You go back and tell your board to make an adjustment. You had to reduce that. A lot of times, the board will give them authority to make adjustments.

In the budget workshops, we'll have 750 to 1,000 attendees. We'll look at about 250 or 260 budgets for them. That's about all you can get done.

AT: The other thing I also thought was unique was you also have a workshop, you go to the CPA and talk to the CPAs because in some instances, they're helping the district.

DD: Sometimes CPAs will help the districts, and we have a workshop for them, too, usually, that they go through. They're very sharp. They're used to working numbers. We have some, one I can think of right quick, he helps eight or nine districts. He really does a nice job. He comes in with the districts.

AT: When they come.

DD: When they come in. He's got the laptop right there. If we see anything, he changes it, and if he can't make it, he'll tell them where he's at. If we want to suggest any changes, he can say yes or no. He's real good to work with. He makes sure the districts that he helps with the budgets, they come in.

AT: I wanted to get into this because I think this is one thing that's made this a very unique place, and you've played a major role in doing that. I think the field sees this as a helping place, a place that has a certain role to play in the state but does all they can to work with them in that. I think you've played a big role in that.

Before we end, you've had a good relationship with local boards. You talked to them. They're valued like the others. I wanted to give you a chance to talk about anything that happened in these fifty-three years that the legislature and these others that just sticks out to you as kind of a unique situation, something that is in your memory. I'm hitting you kind of cold with this. I just think you've had so many experiences.

DD: We used to do a lot of printouts for the legislature prior to 2003, '04, '05. A lot of this was done at night. Tamara [Milligan, Dale's Administrative Specialist 1974-2020] and I, we've been together forty-six years. The reason I mention her is we delivered printouts [to legislators at the Capitol] at 2:00, 3:00 in the morning, 1:00 in the morning. That's not unusual. I never thought about it much until recent history. I'd do that when we were over in the old [KSDE] building. You'd go down the alleys and all of that. Now I kind of think, "I don't know if I'd want to do that now." Of course, we're just across the street now. But we did a lot at night.

AT: And were someone to say, "We need this by in the morning."

DD: They may do it in the morning, but there's been times when they held up the legislature until we got it done. What's the favorite term? "You're on call"? Recessed, call the gavel. They'd wait until we got it done. They wanted to know how long it is.

Whenever we tried to do that, if you said you were going to have it done by midnight, you always tried to be there by 11:30.

AT: Be a little early.

DD: Be a little early. And the other thing that we really tried hard to do, and that is on printouts, you tried your very level best to make sure there was no errors. You can't let people make major policy decisions—so we had a system set up for checking, inhouse checking to be sure we didn't screw up or have any errors.

AT: That's a pretty big responsibility right there, isn't it?

DD: It's not a big deal until you make a mistake. You try not to ever make one. One of the things that I'll never forget, this is a Mr. Crumbaker story. I can tell several different stories. Some of them you wouldn't want to share. I'll never forget this one. I stand there one day, and a gentleman walked up, the opposite party. He said, "Don, get your light on a little earlier, so I'll know how to vote."

Crumbaker was respected enough in the years he was there that he'd carry sixty-three votes himself.

We had some good chairman. I'll tell you another chairman, it wasn't school and finance [expert]. It wasn't his forte, but Mr. Vaughn, Representative Vaughn from Burlington, he was a gentleman of his word.

AT: Was he the chair of Education?

DD: Yes. There were some funny stories that came about.

AT: I'm sure you talked to governors during this time, too. Did they call upon you at times to help them?

DD: Yes. Also the governors that I mentioned like Carlin, Bennett, Hayden, Sebelius, Kelly, they never asked you something that they knew was confidential. They'd ask you about the issue, not about what somebody else is doing. I always respected them for that. They knew that you couldn't divulge it, so they didn't ask that.

A lot of times, when you got down to it, there'd be meetings. If you'd go to the meeting when they were negotiating with the governor, you'd sit in the corner. You didn't say anything or talk unless you were asked. They would discuss it and talk about it.

At that time through a lot of those years, again I want to re-emphasize, it was more about policy than politics. You appreciated that. I don't know why I remember this, but I do. When Joe

Harder announced his retirement, the saddest person in the room was probably [Senator] Nancy Parrish, Judge Parrish.

AT: She was a different party.

DD: She was a Democrat. They had a high regard and respect for each other.

AT: Part of that is going through times where you can see them—even though they may have political differences and all of that, they try and come together for the good of the state.

DD: Yes, they did. Another little story related to that one, we got down to we had one or two issues and couldn't get settled, schools and their attorneys and all of that. I got about eight or ten superintendents together. I told them, "We're going to get together, and this meeting did not exist, and you will not talk about it," but I said, "We've got to solve this problem. They need help."

These were school leaders, and they come up with a solution. We agreed that one of them would go talk to Senator Harder, and one of them would talk to Senator Parrish, and they'd never talk about it again.

AT: Is that right? And they did it. I know a couple of times along the way, you and I have talked about the importance of school leaders assuming some statewide leadership and all. Why has that been important over the years?

DD: The reason it's important to have school leadership, is they understand the issues across the state and not just my district. If it's centered just on me, then you've got fussing and fighting and all that. But they get together.

I'll never forget another superintendent, John Bottom from Beloit. He didn't agree with the formula we adopted and so forth. He was against it and all that. He understood why and all that. He was very smart. He'd come in about three years later, and he had a drop in valuation and all that, and he said, "You know, this formula is pretty darn good."

My point is, some it took a little while for them to realize it, but he knew the purpose. He knew the intent. Right now, the biggest issue of all, the formula, I think will be okay if we keep it up to date. But our history—I took a look at the base amount per pupil. That's the big driver. That's what drives it. If you don't keep it up with inflation, you're going to go to court and lose.

AT: You're going to have another one.

DD: This legislature did that. They got a proviso in it that says at the end of the session, another five years, it will go to the consumer price index. If they do that, schools can't say too much. It's

fair and equitable. The other thing is, their concentration in the school district ought to be student achievement. That has been helpful.

The other thing that is really helpful that has been done only a couple of times, and that is adopt a long-term plan—this one was five years. We had another one, three years. The reason for that is you can plan. I want you to be honest about this, I want you to know it took a while to convince schools that we're going to do it. There's a lack of trust because we've agreed to do something, and then we not do it. We're still working on it. I believe that this governor will comply with the current court order and fund it and follow it.

There's some [districts], they're dwindling—for example, they didn't want to give teachers a raise. They might pull it. They might cut it. Well, it's different now. First, the Supreme Court's got jurisdiction. Secondly, I don't think the legislature wants to go back to court anyway. I think this governor will support it [the current law].

We're improving, I think, the field, in trusting government a little bit. For a while, Andy, our trust factor was not very high. Schools did not trust government, and that was sad. It's sad, but you go back and look. Why? We had that Montoy case. As soon as it was over, we started cutting.

AT: I've got one other thing I wanted to talk to you about, if you don't mind, and that is, when we changed the Constitution, I always thought, it seemed to me that if you had a local board, you were under the state board. Then in '99-2000, we moved—originally you had all of the community colleges, technical schools, originally they were. Anyone under the state board, then they moved to the Board of Regents. Did you have any role in that when that happened? What was going on then?

DD: We worked quite a bit with a guy by the name of [Representative]Dick Rinehart in the legislature, a House member. He wanted to get the community colleges and the technical schools in higher ed. He wasn't against K-12. He was a great supporter of K-12, but he thought higher ed ought to be one office, and K-12 ought to be another office. He wanted to separate them. That was difficult to get that done. That wasn't near as easy as it seemed.

Also, they wanted the technical schools to all get lined up with accreditation and offer two-year degrees. I'm telling you, that wasn't easy to get done. We had workshops for them, too. We had a computer program set up for them. I don't know if they do that anymore or not. We did that.

The theory behind that was probably good, higher ed one place, K-12 in another place. Dick Rinehart deserves—I think if it had not been for him pushing it, I'm not sure it would have happened. He was a minority party member but respected. He stayed with that. He'd come over, "How can we do this?" and we'd talk with him. He was from Erie, Kansas. He was another person who I truly believe, it wasn't political, it was policy.

AT: Any final thoughts that you have as you think about these fifty-three years of serving the state? I'm sure there are things I should have been asking you that I didn't. For us, there's so much that we know that we could probably go into, but anything that sticks out that you need to say about.

DD: It's been my honor to serve. Customer service was always important.

AT: I think you did because of these relationships that you established over time.

DD: I have an unwritten policy. I try never to go home at night if I haven't returned all the calls. They may not be there, but I'll call anyway.

AT: I noticed there was a video at the Kansan, the year that one of the superintendents said, "I don't know if the guy ever sleeps. Every time I call, he calls me right back." That's what you're saying. I think that's a part of building that relationship.

DD: In my division, I don't have a meeting where we don't talk about customer service. It might not be very long, but serving your customers, whoever they happen to be, your job is to serve them.

AT: It's made a good difference.

[End of File]