July 2, 2024

Corey Carnahan
Secretary of the Senate
300 SW 10th Ave., Room 325-E
Topeka, Kansas 66612-1504

Susan Kanarr
Office of the Chief Clerk
300 SW 10th Ave., Room 272-W
Topeka, Kansas 66612-1504

Re: Notice pursuant to K.S.A. 72-1439 concerning disposition of former Park Elementary, Wichita, Kansas

Dear Ms. Kanarr and Mr. Carnahan,

The Board of Education of Unified School District No. 259, Wichita Public Schools, voted on June 27, 2024, to declare the former Park Elementary School surplus. Kansas statute (K.S.A. 72-1439) requires the school district to give the Chief Clerk of the House of Representatives and the Secretary of the Senate notice of its intention to dispose of any former school building. Please accept this letter in satisfaction of that requirement. Following are the items required by K.S.A. 72-1439(a)(1) – (3); a copy of the school district’s resolution is also attached as required by K.S.A. 72-1439(a)(4).

(1) A description of the school district’s use of such building immediately prior to the decision to dispose of such building:
   a. The building was formerly Park Elementary School, a public school for children in kindergarten through fifth grade.

(2) the reason for such building’s disuse and the decision to dispose of such building:
   a. Wichita Public Schools has faced declining enrollment for at least the last ten years, as part of a trend that is projected to continue. Enrollment dropped 5% in 2021-22 alone. This has led to a decrease in the school district’s available funding, much of which is awarded on a per-pupil basis. When combined with an end to federal pandemic relief funding, the school district faced a projected budget shortfall of $42 million in 2024-25.

The school district’s Board of Education voted in March of 2024 to close six of U.S.D. 259’s schools that are most under-utilized and/or most in need of costly deferred maintenance and repairs, re-assigning their staff and students other school buildings within U.S.D. 259. Park Elementary, which was constructed in 1922 and has total deferred maintenance needs of approximately $11 million, was among the schools the Board voted to close.
Classes at Park Elementary dismissed for the last and final time in May of 2024. The building is now vacant and the school district has no plans for its future use. So long as the school district continues to own Park Elementary, it will be liable for upkeep, insurance, security, and other costs associated with ownership. The district therefore wishes to convey ownership of the property.

Since the Board’s vote to close Park Elementary, the City of Wichita has expressed interest in acquiring the property in order to convert it to a "Multi-Agency Center" that will serve the City’s homeless population (see https://www.wichita.gov/1609/Multi-Agency-Center-MAC). If the State does not exercise its right of first refusal pursuant to K.S.A. 72-1439(c), the City of Wichita and Wichita Public Schools will explore whether they may negotiate a mutually-acceptable agreement for the City to acquire the former Park Elementary building for this purpose.

(3) the legal description of the real property to be disposed of:

a. The property is legally described as “South One-Half of Block A, Ferrell’s Addition to City of Wichita, Sedgwick County, Kansas.”

(4) a copy of the resolution adopted by the board of education:

a. A copy of the resolution is attached to this letter. See Attachment A.

Under a prior version of K.S.A. 72-1439, the legislature had to be in active session in order to act on (or decline to act on) the option afforded by the statute. However, that is no longer the case: K.S.A. 72-1439(b)(2) provides that the legislative coordinating council may act now to decline the right of first refusal granted to the State by the statute. The school district and the City are both hopeful that the legislative coordinating council will be able to take this matter up promptly. Thank you for your attention to this matter, and please let me know if you have any questions or would like any other information.

Very truly yours,

Dan Lawrence
General Counsel
Email: dlawrence@usd259.net
ATTACHMENT “A”

WICHITA PUBLIC SCHOOLS
UNIFIED SCHOOL DISTRICT NO. 259
WICHITA, KANSAS

RESOLUTION 2024-3

A RESOLUTION ADOPTED BY THE BOARD OF EDUCATION OF UNIFIED SCHOOL DISTRICT NO. 259, SEDGWICK COUNTY, KANSAS (THE “DISTRICT”), DECLARING THE PROPERTY LISTED IN THIS DECLARATION TO BE SURPLUS.

RECITALS

The District is the owner of the school facility commonly known as Park Elementary School, located at 1025 N. Main Street, Wichita, KS 67203, and legally described as South One-Half of Block A, Ferrell’s Addition to City of Wichita, Sedgwick County, Kansas (herein the "Property").

In March of 2024, the Board of Education voted to close the Property. Classes were held for the last time at the Property on May 23, 2024.

Continued ownership of the Property burdens the District (and, by extension, Wichita taxpayers) with maintenance-related costs, insurance premiums, and other obligations. Meanwhile, the Property is vacant and the District has no current plans to use the Property for any school-related purpose that would provide sufficient value to justify the costs associated with continued ownership, and deferred maintenance costs associated with the Property's various systems total almost $11 million dollars.

The City of Wichita has an acute need at this time for a building that it may utilize to provide winter shelter and other services to the City’s burgeoning and underserved homeless population, many of whom congregate near the city center. The City has determined that the Property may be suitable to fill this need and thereby benefit the Wichita community as a whole while relieving the District of the burden associated with continued ownership of the Property.

The Superintendent recommends that the Property be declared surplus pursuant to Board of Education Policy P7170 so that it may be disposed of in a sale to the City of Wichita or, failing that, in a subsequent transaction on terms consistent with the requirements of P7170.

NOW BE IT RESOLVED by the Board of Education of Unified School District No. 259, Sedgwick County, Kansas, as follows:

Section 1. The Property is declared surplus property as of the Effective Date (defined below).

Section 2. Promptly following the Effective Date, the Superintendent or his designee shall submit to the State legislature the notice required by K.S.A. 72-1439(a).

Section 3. This Resolution shall be effective not sooner than July 1, 2024.

NOW, THEREFORE, this resolution is hereby introduced and adopted by Unified School District No. 259 at its regular meeting held on this 27th day of June, 2024.