



**Oral Opponent Testimony on
HB 2218,
Establishing the Sunflower education equity act**

By

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Madam Chair and Members of the Committee,

KASB appears today in opposition to HB 2218. KASB's legislative policies, affirmed by our Delegate Assembly in November 2022 state, "To ensure all students have the opportunity to succeed, all schools supported by public funds must serve all children on the same basis as public schools. We oppose programs including but not limited to vouchers, education savings accounts and tuition tax credits because such programs divert public funding from public education to schools which are not required to serve all students, including those who are disadvantaged, disabled, or those with the greatest needs."

Our analysis of HB 2218 raises many concerns about the bill's potential impact on Kansas children, especially our most vulnerable students.

HB 2218 sets up a system of unregulated schools, funded by Kansas taxpayers, which aren't required to be overseen by the Kansas department of education or any other agency, including DCF or KDHE. This raises grave concerns about the safety and health of the students in the "qualified schools" that would be funded by Kansas taxpayers and is neither equitable nor wise.

The bill makes no mention of requiring "qualified schools" to follow state education standards. Kansas public schools educate nearly 500,000 children to some of the highest standards in the nation. Subjecting Kansas children to a subpar education is not equitable.

On page 11, the bill appears to indicate that a "qualifying school," funded by Kansas taxpayers, need not educate students with disabilities who attend the school. This would allow "qualifying schools" to underperform in the quantity and quality of educational opportunities provide to their students, and to still depend on public schools to meet these children's special education and related needs without the benefit of base state aid. This is not only inequitable, it also would violate the rights of thousands of Kansas children protected by the federal Individuals with Disabilities Education Act (IDEA).

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Due to the lack of oversight of how these funds will be used, this bill opens wide the door to educational fraud similar to that seen in Arizona, in which Education Savings Accounts were used for non educational expenses. Kansas tax dollars must not support fraud.

HB 2218 allows some parents to “double dip” and utilize not only the state’s existing tuition tax credit scholarship program for low income students but also the proposed Education Savings Accounts to pay for nonpublic school expenses. While this combination of vouchers may make nonpublic school affordable for families, in many cases those families will find their students are rejected by those nonpublic schools for any number of reasons, including needing special education services. Diverting taxpayer funds to programs that don’t serve all children on the same basis as public schools is inequitable.

HB 2218 also allows ESAs to be used to pay for a minimum of four years of postsecondary education costs, but only for those who have chosen to leave the public school system. This excludes the majority of postsecondary students from similar state-sponsored financial aid. That is inequitable.

As of the Feb. 2 deadline for submitting testimony, there was no fiscal note attached to HB 2218. At a minimum, we urge the committee to decline to act on the bill until the full impact on the state budget can be clearly determined.

In conclusion, HB 2218 would establish a system of for-profit, unregulated schools that would hurt nearly 500,000 Kansas children by underfunding their schools. We should instead focus our efforts on the Kansas public schools that have well served generations of Kansas students.

Thank you.

KASB is a non-profit service organization built on an abiding belief in Kansas public schools. We have put the needs of students and K-12 leaders first since 1917.