



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 SW 10TH AVENUE / TOPEKA, KANSAS 66612-1686

Lauren Tice Miller
Lauren.TiceMiller@knea.org
Director of Government Relations & Elections
Oral Testimony – Opponent
House Committee on K-12 Education Budget
House Bill 2218
February 6, 2023

Chairwoman Williams, members of the committee, thank you for the opportunity to submit testimony in opposition to House Bill 2218, establishing the Sunflower Education Equity Act.

Since the bill starts by defining the key terms used for the program, I want to start this testimony by talking about the definition of equity.

Merriam Webster defines “equity” as:

1. Justice according to natural law or right, specifically: freedom from bias or favoritism.
2. Something that is equitable.

Merriam Webster defines “equitable” as:

1. Having or exhibiting equity: dealing fairly and equally with all concerned.

In terms of education, equity means providing all Kansas children equal access to opportunities to succeed, to receive an education that prepares them for life, regardless of their zip code, their family’s economic status, their personal values or beliefs, their disabilities, their gender identity, and so on.

Every Kansas child deserves a quality education that prepares them for a bright future. What that bright future looks like, though, is up to each individual child and what suits their strengths, talents, or interests. And, not all of them are going to be good at taking tests. That doesn’t mean, though, that they’re going to fail at life. Nor does it mean that their public school and, subsequently, their teachers have failed them. However, the Kansas Legislature continues to fail public schools, professional educators, and students.

Kansas NEA does not oppose private schools or home schools. What we oppose is the siphoning of public funds through schemes that benefit non-students as well as unaccountable, and often for-profit, schools.

There are many things about House Bill 2218 that Kansas NEA objects to, but what we object to the most is that this bill is predicated upon the assumption that public schools are currently failing to meet the needs of Kansas children; therefore, they need to be sent to non-public schools where, allegedly, all students are thriving.

Yet, proving that non-public schools educate better is impossible because they do not operate under the same systems of accountability, measurement, licensure, accreditation, assessment, and service requirements as public schools. Nor are they required to educate every kind of student with every kind of need. Put quite simply, in many regards the only choice is the one that private schools enjoy when cherry picking who they accept.

This bill pits children against each other. It creates a system of those who would be chosen and those who would be ignored, and while doing so, it takes tax revenue away from services that ALL citizens can access, giving it to the schools of the chosen ones.

Urban, suburban, and rural students also see equity of access eliminated as some will have the ability to participate, but most will not. Not every child has a parent who can stay home and home school them. Not every child has access to transportation to get them to and from a non-public school. In fact, there are currently 65 counties in the state that do not have an established non-public school.

Instead, these students rely on their neighborhood schools. Schools that will continue to be forced to do more with less while real beneficiaries are those who receive tax credits and the private schools that receive taxpayer funded tuition without the same measures of accountability that this committee continues to covet.

Every year we see schemes where the devil hides in the detail behind the title. A wolf in sheep's clothing is still a wolf, and for our neighborhood schools that would feel the devastating impact of schemes like this we should ask, why do we continue to seek to protect some of the sheep, but the rest of the lambs are left weakened?

So, let's call this bill what it really is: the Dismantling of Kansas Public Schools Act.

While the opposition to these efforts has been – and will continue to be – called hyperbole and fear-mongering, we believe that it is our duty as Kansans and educators to look beyond the rhetoric. The math is telling here:

This program is available to every student eligible to enroll in public schools from pre-K through 12. There are approximately 500,000 students enrolled in more than 1300 public schools in 287 districts in the state of Kansas, pre-K through 12. Subsequently, there are approximately 26,000 students enrolled in nonpublic schools as reported to KSDE, and it is unknown how many home school students there are.

If even a quarter of the students currently enrolled in public schools utilize this program, that's 125,000 students times the BASE of \$5,103 per student for a total of \$637,875,000. Five percent of that, or \$31,893,750, goes to the treasurer's office for administration of the program. This is \$32 million that will never, ever go towards the education of Kansas children.

Even at 10-percent of students currently enrolled in public schools, that's 50,000 students at \$5,103 for a total of \$255,150,000. Five percent of that, or \$12,757,500 goes to the treasurer's office for administration of the program and never towards to the education of Kansas children.

Lastly, if we assume all 26,000 students currently enrolled in private schools also participate in this program, this would create a new education expenditure of \$132,678,000 as these students do not currently receive BASE aid. This would be an expansion of that budget line item – or a tax increase on Kansans that would solely benefit private schools. We can also only assume this figure would be larger, given that it is unknown how many home school students there are in Kansas and we would assume they would also be participating in the program.

Couple all of this with the proposed expansion of tax credit voucher program heard in this committee two weeks ago, which is allowed under Section 6 of House Bill 2218, then there's an additional \$20 million taken away from public programs that would truly benefit all Kansas children.

This bill does not represent our true Kansas values. Kansans overwhelmingly approved an amendment to our state constitution more than half a century ago establishing that the Kansas Legislature would provide adequate and equitable financing to our public schools. This bill is a direct violation of the Kansas Legislature's constitutional duty to the state of Kansas not only in the finance portion, but in the establishment of a secondary state board of education and the appointment of the state treasurer as a secondary Commissioner of Education.

Just last week this committee hosted two educators. The hearing was called "Teachers: The Heart of Education." Many members proclaimed their adoration and appreciation for teachers. Yet, here we are, one week later, hearing this bill.

The full-court press on voucher legislation like this is happening nationally, and anyone with basic critical thinking skills can see that this is an exercise in politics rather than an expression of what is in the best interest of Kansas children.

Want to know why educators are leaving the profession? Look no further than bills like this one. When educators hear that elected officials believe they are the "heart of education," but turn around and proclaim them as failures while making their work less efficient, less effective, and less focused on the needs they face every day, is it really any wonder that they're leaving?

Non-public schools and home schools do not require licensed teachers. Anybody can teach there, and there is zero accountability of these schools that would now be taking public taxpayer dollars.

While some non-public schools are state accredited, they are not required to be nor are they held to the same level of standards as accredited public schools. Further, there is absolutely no requirement that non-accredited private schools report any student performance data at all, ever. There is no tracking of these students required to ensure that their academic performance has improved or, at the very least, stayed flat. There is no requirement that these students participate in state assessments or that they participate in any assessment program. There is also no requirement of these schools to publicly publish their budgets and how they have allocated these public funds. Where is the oversight and transparency in that?

There have been multiple instances where it has been asserted in this committee that children attending public schools are graduating without knowing how to read or write. Yet, there is nothing in this bill that would require a nonpublic school or a home school to prove their graduating students can read or write.

Section 12 of House Bill 2218 does give parents of qualified students the ability to request that a public school provide their student with the state assessment at no charge, but it does not specify how that data would be handled. Is the purpose of this just to provide the scores to the parents? Does the data get included with the scoring of the entire school district? Are the districts that make these accommodations allowed to keep these student scores separate from the rest of the students?

In short, House Bill 2218 is an insult to the highly trained professionals that are our Kansas educators, and it is a direct violation of the Kansas constitution.

Public schools are not failing. They have been intentionally underfunded and saddled with onerous and punitive regulations that circumvent the authority of the locally elected board of education and the state board of education. This shameful political wrangling has occurred for more than a decade simply to weaken public schools, demoralize educators, and then indict the system as failing. The system that exists solely for the purpose of giving every Kansas child an opportunity to receive a world class education. The solution here is not to divert public funds to private schools with no accountability and minimal oversight, just so that schools can choose what kinds of students to admit.

For these reasons, we respectfully request that House Bill 2218 not be passed out of this committee.