HB 2550 Proponent Testimony – in person
Student Empowerment Act
House K-12 Budget Committee
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February 1, 2022

Madam Chair and Members of the Committee,

We appreciate this opportunity to testify in support of HB 2550. The Student Empowerment Act provides Education Savings Accounts for students who are eligible for free or reduced lunch or who have been designated to receive at-risk services.

My testimony is broken into three sections:

1. The urgent need for better education opportunities
2. Evidence that educational choice creates better opportunities and improves outcomes.
3. Dispelling myths about educational choice.

1. Urgent need for better education opportunities

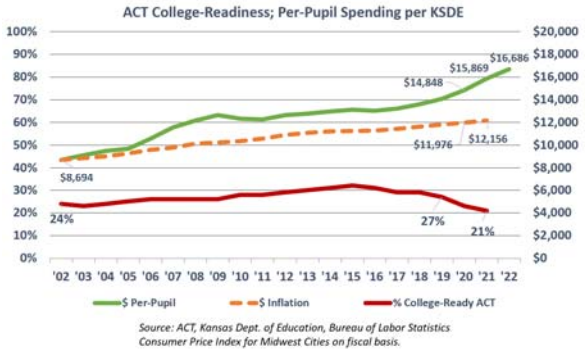
The Kansas Supreme Court in 2016 cited the fact that about a quarter of students were below grade level on the state assessment somehow 'proved' that schools were underfunded. Now, about a third are below grade level despite large funding increases.

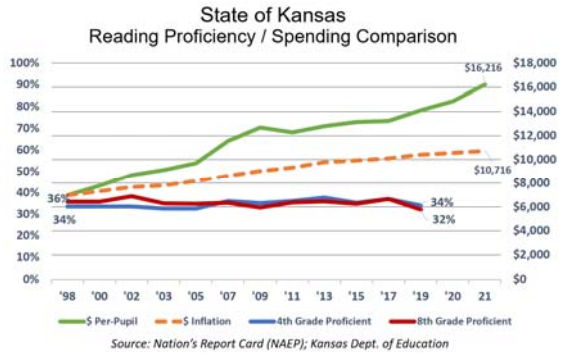
The 2021 state assessment shows there are more high school students below grade level in Kansas than are on track for college and career. Only 20% of high school students are on track for college and career in math, and just 26% in English language arts. Even in Johnson County, about a third of high school students are below grade level and less than half are on track.

State of Kansas High School Results - Math			
Year	Below Grade Level	At Grade Level, Needs Remedial Training	On Track for College & Career
2016	42%	34%	23%
2017	42%	31%	23%
2018	44%	32%	24%
2019	41%	34%	25%
2021	47%	33%	20%
Source: KSDE; totals <100% due to students not tested			

State of Kansas High School Results - ELA			
Year	Below Grade Level	At Grade Level, Needs Remedial Training	On Track for College & Career
2016	29%	39%	30%
2017	31%	37%	29%
2018	33%	38%	29%
2019	34%	37%	29%
2021	35%	39%	26%
Source: KSDE; totals <100% due to students not tested			

Efforts to blame declining achievement on COVID, parents, and other factors don't hold up to scrutiny. Whether based on the the state assessment, ACT, or the National Assessment of Educational Progress, student achievement has been persistently low and on a slightly downward trend.





Sadly, intransigence on the part of state and local education officials offers little hope of material improvement without legislative intervention. Consider these examples:

- Only two of 25 large school districts we examined arguably complied with state law on building needs assessment.[1] The response to our Open Records requests demonstrated open defiance of their legal obligation from some districts. How can parents hope to see improvement if education officials won't attempt to identify barriers and redirect resources accordingly?

- Parents have been given inaccurate information to make it appear that outcomes were much higher.[2]

- A 2019 Legislative Post Audit of at risk spending concluded, "Most spending was used for teachers and programs for all students and did not appear to specifically address at-risk students as required by state law."[3]

- The Department of Education Accounting Handbook says, "Although all other functions are important, this function (Instruction) acts as the most important part of the education program, the very foundation on which everything else is built. **If this function fails to perform at the needed level, the whole educational program is doomed to failure** regardless of how well the other functions perform. (emphasis added).[4]

Despite this strongly worded admonition, school districts have reduced the percentage of spending allocated to Instruction over time. When the Legislature passed a policy provision in 2005 that called for 65% of total spending going to Instruction, schools were allocating 54.2% to Instruction. In 2021, they allocated 53.6%. Had schools followed legislative guidance, they would have spent $10.2 billion more on Instruction since 2005.

Statewide survey results show strong parental demand for choice, with 75% saying taxpayer-funded accounts should be available to parents if they believe their school districte is not meeting their children's academic needs. Only 18% disagree.

Taxpayer-funded accounts should be available to parents if they believe their school district is not meeting the academic needs of their children.								
510 Registered Voters	All	Region				Ideology		
Credibility Interval: ± 6.2 pct pts		Western Kansas	Wichita Area	Kansas City Area	Eastern Kansas	Conserv	Mod.	Liberal
Strongly / Somewhat Agree	75%	78%	77%	76%	73%	83%	74%	69%
Strongly / Somewhat Disagre	18%	16%	16%	17%	19%	14%	18%	26%
Not Sure	7%	7%	7%	7%	16%	3%	8%	5%
Source: SurveyUSA poll conducated Dec. 1-7, 2021 on behalf of Kansas Policy Institute								

The demand for educational choice crosses all geographical and ideological lines.

2. Evidence that educational choice creates better opportunities and improves outcomes

While achievement declined in Kansas, it has improved across the county – particularly in states with robust educational choice options. The low-income students who would benefit from the Student Empowerment Act have shown remarkable progress in Florida and Arizona.

4th-Grade Low-Income Reading Proficiency			
State	1998	2019	% Change
Kansas	22	20	-9%
Arizona	10	18	80%
Florida	12	28	133%
National Avg.	13	21	62%
8th-Grade Low-Income Reading Proficiency			
State	1998	2019	% Change
Kansas	21	19	-10%
Arizona	12	16	33%
Florida	11	25	127%
National Avg.	14	20	43%
Source: National Assessment of Educational Progress			

Reading proficiency for low-income 4th-graders in Kansas fell from 22% in 1998 to 20% in 2019 (the last year the National Assessment of Educational Progress was given). But there was a 62% improvement in the national average, with Arizona and Florida doing even better. Arizona's low-income kids improved from 10% proficient to 18%, and Florida jumped from 12% to 28%.

The 8th-grade reading proficiency results show similar patterns; Kansas declined, the national average improved, and Arizona and Florida showed strong gains.

Extensive academic research on educational choice also points to positive results. There have been 28 empirical studies on the effects of voucher or tax-credit scholarship programs on the academic performance of students who remain at their traditional public schools. Of these, 25 find statistically significant positive effects, one finds no visible effect, and two find a small negative effect.[5]

2019 Per-Pupil Spend Adjusted for Cost of Living	
State	$ Per Pupil
Kansas	16,661
Arizona	10,339
Florida	11,008
National Avg.	15,669
Source: Census, MERC	

Finally, while Kansas officials believe money drives achievement, Arizona and Florida recorded huge achievement gains while spending a great deal less per student than Kansas.

Adjusted for the cost of living in each state, Kansas spent $16,661 in 2019, while Arizona spent only $10,339 per student and Florida spent just $11,008. As explained in our documentary on Florida's remarkable turnaround, their gains came not from money, but from choice, transparency, and accountability.

3. Debunking the myths of educational choice

Educational choice critics have perpetrated a long list of myths about tax credit scholarship programs and education savings accounts. Fortunately, the research debunks each of those claims.

It's not just the kids who take advantage of choice opportunities who improve; choice benefits all students. Katie Brooks writes for EdChoice, "The vast majority of rigorous research—we're talking more than 60 studies—finds test scores, long-term attainment and civic participation improve for students who use school vouchers and for students who choose to stay in their public schools. That includes things like math and reading proficiency, graduating high school, going to and persisting in college, being less likely to commit crimes and being more likely to volunteer and vote."[6]

Accountability is the focus of several myths. Critics claim private schools aren't held accountable like public schools, but it is arguably quite the opposite. Public schools in Kansas are not held accountable for improving achievement or how they spend money.

Most parents have no recourse when public schools don't perform, but private school parents can 'vote with their feet.'

Some people fear that educational choice programs will destroy private schools, believing that Department of Education officials will be able to assume control of curriculum and other aspects of private education. However, those promoting claims of this nature don't point to examples of anything occurring over the long history of choice programs in the United States; it is simply an unfounded fear.

Here's another false claim – choice will cut public school funding. Students taking advantage of a educational choice program is no different than a student moving out of state – the school loses the funding for that student but it collects full funding for students who are there.

Education officials correctly note that schools are still responsible for some costs that aren't variable based on enrollment, but by that logic, schools don't need a full per-student funding increase when a new student moves in – they would only receive funding to cover the incremental cost of that student.

But here is the critical issue that choice critics refuse to discuss – **how long will it take to get students to grade level without educational choice opportunities?**

If legislators find student achievement in Kansas to be acceptable (or soon will be), it's understandable to not support change. But for those who don't find achievement acceptable, the question becomes **how many more generations of students must be doomed to a lifetime of underachievement before the Legislature steps in?**

Ultimately, every parent should have money-follow-the-child options to get their kids the best educational opportunity. A quarter of the more affluent students (self-paid lunch) are below grade level in math on the 2021 state assessment and only about a third are on track for college and career.

We encourage the Committee to approve HB 2550 and give kids a fighting chance for the education they deserve.

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[1] "Schools ignore legal requirement to conduct needs assessments," *The Sentinel*, November 29, 2021. https://sentinelksmo.org/schools-ignore-legal-requirement-to-conduct-needs-assessments/

[2] "More student achievement deception in Gardner-Edgerton," *The Sentinel*, September 27, 2021. https://sentinelksmo.org/kansas-tries-to-reduce-standards-to-make-achievement-look-better/

[3] "K-12 Education: Evaluating At-Risk Student Counts, Weights, and Expenditures," Kansas Legislative Division of Post Audit, December 2019. https://www.kslpa.org/audit-report-library/k-12-education-evaluating-at-risk-student-counts-weights-and-expenditures/

[4] Accounting Handbook, page 77, Kansas Department of Education, November 29, 2021.

[5] *The 123s of Educational choice*, EdChoice, April 15, 2015. https://www.edchoice.org/research-library/?report=the-123s-of-school-choice-2/

[6] "Five Talking Points on School Vouchers," Katie Brooks, EdChoice, July 29, 2019. https://www.edchoice.org/engage/five-talking-points-on-school-vouchers/