



## Brittany Jones Testimony in Support of S.B. 509

### Senate Assessment & Taxation

March 6, 2024

Chairwoman Tyson and members of the committee, my name is Brittany Jones. I am an attorney and the Director of Policy and Engagement for Kansas Family Voice. Kansas Family Voice believes that Kansas should be a place where life is cherished, religious freedom, & families thrive. We believe families thrive when they have freedom to choose how and where they educate their children. It is for these reasons that we urge your support of SB 509.

SB 509 provides more educational flexibility for Kansas families. In an ever-changing educational environment, parents need every tool available to place their children in a learning environment that fits their child's individual needs. Tax credits are a simple way to empower parents to choose.

School choice is based on one simple idea that parents should have the ability to send their kids to any school that will help their children thrive. It is a child and family centric model. It is not about pitting one type of schooling against another but simply empowering families to make the best choice for them.

Ten states already have tax credits of this sort.<sup>1</sup> In those states, there are more than 650,000 tax returns that claim these credits. There are more than 60,000 students in private or home schools in Kansas. These sorts of bills provide these families with more flexibility as they make the best educational choices for their family.

One note on the constitutionality of this bill, federal courts have continually backed up parent's rights to direct their children's upbringing and for state programs to support them in this effort.<sup>2</sup> Opposition to these sorts of measures often rely on the archaic and unenforceable Blaine Amendments. Blaine amendments were instituted in many states as part of anti-Catholic bias in the 1880s. The Supreme Court has unequivocally denounced the enforcement of this sort of hostility as violating the free exercise clause.<sup>3</sup> Religious hostility should not, and cannot be, a reason to oppose protecting parent's rights in raising their children.

Parents are best positioned to know and raise their kids. Educational institutions can be an asset to this relationship. Recognizing and protecting the fundamental relationship between a parent and their child is vital to ensuring the stability of our society. While not the perfect solution, S.B. 509 moves us in the right direction. It is backed by years of Supreme Court jurisprudence as well as federal law. For these reasons, I ask that you vote S.B. 509 out favorably. Thank you!

---

<sup>1</sup> Alabama, Illinois, Indiana, Iowa, Louisiana, Minnesota, Ohio, Oklahoma, South Carolina, & Wisconsin.

<sup>2</sup> *Carson v. Makin*, 142 S. Ct. 1987 (2022).

<sup>3</sup> *Espinoza v. Montana Department of Revenue*, 140 S. Ct. 2246 (2020).