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Written Testimony – Opponent
House Committee on K-12 Education Budget
House Bill 2550
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Chairwoman Williams, members of the committee, thank you for the opportunity to submit written testimony in opposition to House Bill 2550.

We stand in opposition to this bill and would ask the Committee to consider the following four issues that drive our opposition.

Issue #1, Accountability

This program is predicated upon the assumption that public schools are currently failing to meet the needs of students who qualify for free or reduced lunch or are eligible to receive at-risk services; therefore, they need to be sent to private schools where, allegedly, all students are currently thriving.

Yet, as with every such program that gets proposed, there is no accountability required of the private schools that would now be taking public taxpayer money. Non-accredited private schools are eligible to receive state funds under this program. There is absolutely no requirement that non-accredited private schools report any student performance data at all, ever. There is no required tracking of these students to ensure that their academic performance has improved or even stayed flat. There is no requirement that these students participate in state assessments or that they participate in any assessment program.

The plain truth is that while some private schools are state accredited, they are not required to be so. In which case, this program would likely encourage those schools to leave the state accreditation program. Why take at-risk students if those students might mean your overall reported assessment results might decline?

Issue #2, The Bureaucracy

This bill purports to be helping children but instead simply sets up a massive bureaucracy in public school district offices and the State Treasurer's Office with the intent of moving as much state money as possible from public schools to private schools.

The first bureaucracy to be established under HB 2550 is in the school districts where administrators track at-risk students according to the students' academic performance. This new bureaucracy will also be

required to notify the parents of each individual student that their child is eligible to leave the public school and go to a private school.

The second bureaucracy established in this bill will be in the State Treasurer's office where more staff will be required to verify the use of state dollars by parents, the eligibility of students to participate in the program, the eligibility of private schools for the program, the collection and expenditure of the individual accounts, an annual audit of one randomly selected private school, and tracking how much time each individual student is spending in the resident public school, the private school, or in privately contracted educational services. The Treasurer's office must also report all of this to the State Department of Education which will expand the bureaucracy in their fiscal department to determine the amount of weighted funding these students would have generated for the district during the last years the student was enrolled full-time for low enrollment, high enrollment, bilingual, at-risk and career technical education weightings.

Issue #3, Admissions

Why should a private school accept an at-risk student when it would be easier and better for the school's reputation if they limit their admissions to high-achieving students?

Private schools can do this now - they can discriminate for admissions based on religion, gender, sexual orientation, primary language, disability, behavior issues, performance on an admissions test, or just about any other criteria one can think of. They can deny admission based on space. Public schools on the other hand take every child in their attendance center regardless of any of the above factors including whether there are enough desks in the building.

This double standard is made abundantly clear with House Bill 2553, which is also scheduled for a hearing today in this committee. HB 2553 requires public school districts to allow non-resident students to attend their schools. Section 3 explicitly states that public schools "shall not accept or deny a nonresident student transfer based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measure of achievement, aptitude, or athletic ability." Why would these same requirements not also apply to the private schools taking students as defined in House Bill 2550?

By giving permission to private schools to select only those students who fit their own definition of "eligible," you allow the private schools taking state money to selectively recruit students who are most likely to be either outstanding academics or exceptional athletes. If you are thinking this program will help under-achieving at-risk students, you can be sure that those will be the very children "left behind."

Issue #4, Oversight

State statute (K.S.A. 75-1122) requires that every school district in Kansas have their accounts, including all tax and other funds such as activity funds, examined and audited by a licensed municipal public accountant or a certified public accountant. The results of these audits are then presented publicly to the local board of education. This happens every year and is in addition to the audit required each September by KSDE. Additionally, public school districts must prepare and publish their budget as well as hold a public comment hearing before it can be passed.



Furthermore, in House Bill 2553, it is written in section 3, subsection (i), that the legislative division of post audit will randomly select 10% of public school districts and conduct an audit of the nonresident students who have been approved or denied.

Yet, in House Bill 2550, just one participating private school is selected at random each year to audit by the state treasurer to ensure proper spending of these public taxpayer dollars. Private schools receiving these public funds are also not required to publicly publish their budgets to show how these taxpayer dollars are being spent. Where is the oversight and transparency in that?

In conclusion

There is no doubt our educators have suffered, and our students have suffered as we have endured two years and counting of a global pandemic. However, to truly help those who are defined as eligible for this program, the solution is not to divert public funds to private schools with no accountability and minimal oversight.

Instead, we would suggest investing additional resources to increase teacher pay and expand professional development opportunities; eliminating the sales tax on food so the families of these students can afford to put food on the table while putting money back in their pockets; providing universal high-speed internet services; and, expanding access to affordable healthcare, just to name a few more viable solutions to helping these students.