



**Opponent Testimony on SB 437
For the Senate Education Committee
February 14, 2024
Judith Deedy
Executive Director, Game On for Kansas Schools**

Chair Baumgardner, members of the committee, thank you for the opportunity to testify in opposition to SB 437 on behalf of Game On for Kansas Schools, a grassroots public education advocacy organization.

We are not opposed to the principle of two \$1,000 grants for students to pay for tutoring or similar services, but we have multiple grounds for concern with this bill. **First, we want to make clear we oppose vouchers, whether they are traditional vouchers, or other forms of vouchers such as ESAs.** We recall during last year's legislative session that proponents of a massive ESA bill said that it was just the Governor's KEEP program. This bill is currently limited to \$1,000 grants, but we could see it being used to justify a future ESA bill by tweaking a new KEEP program. We want to be on the record as opposing any such expansion.

This bill appropriates \$100 million from the State General Fund for the fiscal year ending June 30, 2025. This is a significant amount of funding, and we would rather see that directed to other programs or services, such as the Special Education shortfall.

We seek clarification as to whether this bill applies only to public school students or also to private school or homeschool students. The bill states the program is designed for qualified students "that will enroll in a public elementary or secondary school during the school year." However, "Qualified student" is defined as "a resident of Kansas who is eligible to enroll in ... a public school in this state." That language seems to allow a student who is eligible to enroll in public school but in fact enrolls in a private school or homeschool to be eligible.

The list of “Qualifying expenses” is overbroad, and there is insufficient oversight over expenditures. We can’t think of a uniform expense that would seem appropriate under this bill. We are also concerned that there are no qualifications required for “educational, learning or study skills services,” or “any other services offered by school districts or other education providers.” We believe this leaves the state on the hook for potential scams and wasting of taxpayer dollars. Our concerns are not hypothetical but are based on experiences in other states.

There is no budget for oversight in this bill. The state treasurer has other responsibilities. Businesses like Class Wallet charge fees for their services, and as we have seen in other states, still fail to provide sufficient oversight of expenditures. It seems bills like this require a substantial budget for oversight, which then results in taxpayer dollars that go for monitoring businesses rather than educating children.

We think this bill looks good at first glance, but lacks guardrails. We are also concerned that it could be amended during the session to become an ESA or something similar. Thank you for your consideration of these issues with SB 437.