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Director of Government Relations & Legislative Affairs

Oral Testimony – Opposed

Senate Committee on Federal and State Affairs

Senate Bill 254

February 27, 2025

Chairperson Thompson and Members of the Committee:

Thank you for the opportunity to testify in opposition to SB 254.

Kansas NEA is a member-driven organization representing all 40,000 educators in Kansas, with nearly 22,000 members. The positions we advocate for have been proposed, debated, and adopted by several hundred members elected by their peers to attend our annual Representative Assembly.

KNEA has several resolutions addressing issues related to SB 254, which are cited below.

We do not wish to comment on the portion of SB 254 that amends Section 2 of K.S.A. 22-2802, which pertains to release prior to a criminal trial and requires any person charged with a crime who is not a U.S. citizen or national to undergo verification of their immigration status.

KNEA's primary concern with SB 254 is the section of the bill that defines "state and local public benefit" to include reduced tuition and fee amounts offered by postsecondary educational institutions to residents. Additionally, the bill states that *under no circumstances shall an alien who is unlawfully present in the United States receive such reduced tuition or fee amounts.*

This is not a new debate in this country, the state of Kansas, or even within KNEA and its membership. Versions of this bill, along with discussions surrounding the issue of in-state tuition for the innocent children of undocumented immigrants, have surfaced repeatedly over the years. Because of this, KNEA has a longstanding resolution addressing the issue.

Relevant portions of that resolution read:

...KNEA further believes that students should have equal educational opportunity, be informed of behavior expected of them, and be appropriately involved in the decisions affecting their education.

KNEA further believes that, regardless of immigration status of students or parents, every student has the right to a free public education in an environment free from harassment, and also opposes Immigration and Customs Enforcement operations and inquiries on school property.

KNEA further believes that students who have resided in the United States for at least five years at the time of high school graduation should not be held responsible for decisions they were not legally able to make...

KNEA believes that education is the gateway to opportunity. **Every individual has the human and civil right to a quality education that fosters their potential, independence, and character.** This right begins in pre-K and should extend as long as the student and their family choose to pursue it. We oppose any barriers to this fundamental right, and SB 254 presents a significant obstacle for many Kansas children.

Furthermore, SB 254 is entangled in a national culture war. While politicians across the spectrum seek to score political points, gain social media attention, and energize their base with controversial rhetoric, innocent children's dreams are being shattered. SB 254 brings this harmful dynamic to Kansas. By making higher education unaffordable, this bill will prevent children born and raised in Kansas from accessing post-secondary education.

We urge the committee to oppose SB 254.

Thank you for your time.