

Written Testimony in Opposition to SB254 and HB2373

February 23, 2025

Fellow Kansans,

My name is Dr. Jason Miller, and I am a resident of Topeka as well as an anthropologist and faculty member at Washburn University; however, I want to clarify that I do not represent Washburn University and am submitting this testimony as a private citizen. I am writing to express my strong opposition to Senate Bill 254 and House Bill 2373. These bills seek to prohibit in-state tuition for undocumented immigrant students in Kansas. I urge you to reject these measures for the following reasons:

First, providing in-state tuition to undocumented students is an investment in the future of Kansas. Many of these students have lived in Kansas for most of their lives, attended our K-12 schools, and demonstrated academic excellence and commitment to their communities. By allowing them to pay in-state tuition, we ensure that they can access higher education and develop the skills necessary to contribute as future educators, healthcare professionals, engineers, and business leaders. This benefits not only the students but also our state's economy and workforce. If these bills pass, Kansas risks losing talented individuals to other states that offer more inclusive tuition policies, ultimately weakening our higher education system and our state's economic competitiveness.

Second, there is a common misconception that undocumented students receive taxpayer-funded financial aid. In reality, they are ineligible for federal and state-funded grants such as the Pell Grant and do not qualify for most state or institutional financial aid programs. Paying in-state tuition is not a subsidy—it is a fair recognition of the fact that these students and their families have contributed to Kansas through taxes, hard work, and community engagement. Denying them the ability to pay the same tuition as their peers will not save taxpayer money but will instead create unnecessary financial barriers that may prevent them from pursuing higher education altogether.

Finally, SB 254 and HB 2373 include provisions that presume undocumented individuals to be a flight risk in legal proceedings. This assumption disregards the fundamental principle of “innocent until proven guilty” that underpins our justice system. It unfairly singles out a specific group of individuals based on their immigration status rather than considering each case on its merits. By codifying a presumption of flight risk, these bills send a message that certain Kansans are less deserving of due process protections, which sets a troubling precedent for our legal system.

In conclusion, these bills are not only harmful to undocumented students but also detrimental to Kansas as a whole. Denying in-state tuition would discourage bright, hardworking students from seeking higher education, weaken our institutions, and ultimately hurt our economy. Instead of passing policies that punish students for circumstances beyond their control, Kansas should continue to support equitable access to education for all who call our state home. I urge you to oppose Senate Bill 254 and House Bill 2373. Thank you for your time and consideration.

Sincerely,

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