

John Buaas

Private citizen

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SB 254

Written only

I thank Chair Thompson and the members of this committee for taking the time to read and consider my testimony concerning SB 254.

I write to you as someone recently retired from 24 years of teaching at Butler Community College and who in that time almost certainly taught students whose ability to attend Butler would have been affected by this bill. I also believe, though, that this bill would be harmful over the long term to all Kansans, and not only those future students whose ability to attend college would be affected.

I oppose this bill. It seeks to impede by financial means a certain class of students from pursuing an education based on their *federal* citizenship status, no matter how long they have lived in this state, while at the same time allowing all other classes of students to pursue that same education based on their *state* residency status; thus, it puts the State of Kansas in the position of passing a judgment on students based on federal immigration law, when that work is the job of the national government. It also presumes that, if allowed to pay in-state tuition, undocumented students are somehow being granted a benefit not received by natural-born and naturalized citizens. This is plainly absurd on several counts. As no doubt others have said in their testimonies before this committee, and as you already no doubt know, undocumented students are not eligible for federal or state financial aid; as I am also certain you have heard and already know, the vast majority of in-state residents will apply for and receive those same kinds of aid . . . and many of those students will in the end prove to be far greater financial drains on the US and state governments and/or colleges they attend, despite receiving the lower, in-state tuition rate. If aid-receiving students fail to complete a semester's work, the college must reimburse the aid-granting entities; and many students, unfortunately, will have difficulty repaying or will be unable to pay back their loans after they graduate and will default on them. Undocumented students pay their own way, the school receiving their money upon registration. If those students cannot complete their semester, they are the only ones who have lost money. In other words, if we want to consider this bill's merits solely within the context of the complexities colleges and universities have to deal with when it comes to receiving payment from students, undocumented students would be a *favored* class of students. Though, thankfully, enrollment at Butler and other schools has finally begun to rise as they (still) try to

recover from the pandemic, there are still plenty of empty seats at colleges all across the state. If the bill's sponsors claim that undocumented students are taking places in classrooms that citizens would otherwise be taking, I assure you that that simply is not the case.

I am certain, though, that this bill's sponsors are offering it not because they are concerned about how colleges collect their tuition and fees from students, or even out of concern that they are taking spots in classrooms away from citizens, but as a punitive measure: The bill implicitly asserts that undocumented people should hold a lesser status than do other Kansas residents by virtue of their having a different citizenship status. I am not sure we should be making judgments about people's worth on that basis, but I will go ahead and assert some things here. If someone wishes to justify this bill on the grounds that undocumented people pay no taxes or are somehow layabout beneficiaries of the welfare state's largess, I would reply that every time such people decide to buy anything in this state, they pay taxes on those goods, just as you and I do. True, many of them own no property on which they pay taxes, but then again few traditional-college-age students do, either. They are not eligible for safety-net programs. And, they are not drains on the nation or state in other ways as well: undocumented people run into trouble with the law at far lower rates than do full-fledged citizens.

But really, all the above should be of lesser concern when it comes to what really matters most about a college education and who receives it: a student's performance in the classroom. That is more important than the student's age, race, ethnicity, gender, sexual orientation, socioeconomic status, religion or lack thereof, or, yes, their status as a citizen or resident. Unless a student told me directly about their particular circumstances, I knew nothing about their residency status, whether as Kansans or as US citizens. Indeed, as I write this, I can recall with certainty only one student who shared that status with me; I have no doubt that other students in my classes had a status similar to that one student. As educators, our job was to assign and evaluate our students' work as fairly and critically (in the best sense of that term) as possible. The only "citizenship status" I and other teachers were/are concerned with is that conferred by the students themselves when they paid for and enrolled in and attended and did the work assigned them in class. Students who did well were "good" citizens. Students who didn't would either try again next semester or would decide that, for the moment at least, they didn't want to be citizens of the classroom, and that was their perfect right.

In an ideal world, students' academic eligibility for admission to college and their subsequent work in the classes they take would be all that would be of interest to this body--that, and doing all it could to encourage students to pursue their educations for as long as they wish to. The reason is simple: Of all the things governments pay for, education is among the very best investments it makes. An educated workforce is any state's most valuable asset, and the

citizenship status of some of its members does not diminish that value to the state. The State of Kansas should therefore not be creating barriers to higher education for its residents.

To that end, I urge that this bill not become law and that the legislature instead turn its energies toward the drafting of legislation that will improve and broaden educational opportunities for all its residents, to the exclusion of no one who is otherwise eligible to attend college, so as to benefit all Kansans in the years to come.

I thank the committee for its time.