

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 9:00 a.m. March 15, 2011, in Room 784 of the Docking State Office Building.

All members were present except:

Representative Ward Cassidy, excused

Committee staff present:

Sharon Wenger, Kansas Legislative Research Department
Reagan Cussimano, Kansas Legislative Research Department
Eunice C. Peters, Kansas Revisor of Statutes
Norm Furse, Kansas Revisor of Statutes
Jason Long, Kansas Revisor of Statutes
Dale Dennis, Deputy Commissioner, Kansas State Department of Education
Jan Johnston, Committee Assistant

Conferees appearing before the Committee:

Jeff Reed, Foundation for Educational Choice
Kathleen O'Hara, Superintendent Catholic Archdiocese, Kansas City
Dave Trabert, Kansas Policy Institute
Mark Tallman, Kansas Association of School Boards
Dr. Gary George, Assistant Superintendent Olathe School District
John Koepke, Kansas Families for Education

Written testimony:

Derrick Sontag, American for Prosperity
Adam Schaffer, CATO Institute
We The People of Osage County

Others attending, see attached sheet.

HB 2367 - Schools; authorizing a tax credit to be used for educational scholarships

Chairman Aurand opened the hearing on **HB 2367**.

Eunice Peters, Office of the Revisor of Statutes, explained the purpose of the bill to the committee.

Jeff Reed, Foundation for Educational Choice, spoke to the committee as a proponent via telephone conference on **HB 2367**. What are tax-credit scholarships, and how do they work? Florida Tax – Credit Scholarship Program. Fiscal savings, according to the Florida Legislature's Office of Program Policy Analysis and Government Accountability. FY2007-08 – net savings reached \$38.9 million. FY2008-09 – net savings reached 36.2 million. (Attachment 1)

Stacy Davis, spoke to the committee as a proponent on **HB 2367**. This bill will help low income students and give tax credit. I know this will work. We did not pull this bill out of the air. This has the best of every program. Kansas will have the broadest program in America. Here in Kansas, 60 years ago, we told America, everybody has a right to an education. We can do this by saving taxpayers dollars. We can change the way we think about education. Our teachers complain about lack of parental involvement. It is your right as a parent to help your child succeed. (No written testimony was provided to the committee)

Dr. Kathy O'Hara, Superintendent of Catholic Schools, Archdiocese of Kansas City in Kansas, spoke to the committee as a proponent on **HB 2367**. Catholic schools are a vital part of Kansas's education system, enrollment more than 25,000 K-12 students throughout the state. For a variety of reasons, each year thousands of Kansas families make the financial sacrifice necessary to place their children in our schools.

That is why parents should have the opportunity to choose the school that best fits their children's needs. Giving parents greater freedom in pursuing educational opportunities for their children can only strengthen Kansas' overall educational system. Kansas needs both strong public schools and strong

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private schools for the state to be competitive in the coming years. We believe that public policies that support both will serve the state, its families, and its future workforce well. ([Attachment 2](#))

Dave Trabert, President, Kansas Policy Institute, spoke to the committee as a proponent on **HB 2367**. The purpose of **HB 2367** is to provide eligible students with an opportunity to attend qualified schools of their parents' choice by receiving scholarships funded by taxpayer contributions, a portion of which is eligible for a tax credit.

HB 2367 is an important piece of the education reform tapestry needed in Kansas and we strongly encourage its passage. ([Attachment 3](#))

Adam Schaffer, CATO Institute, provided written testimony to the committee as a proponent of **HB 2367**. ([Attachment 4](#))

Derrick Sontag, State Director, Americans for Prosperity Kansas, provide written testimony to the committee, as a proponent on **HB 2367**. ([Attachment 5](#))

Members of "We the People of Osage County" provided written testimony to the committee as proponents to **HB 2367**. ([Attachment 6](#))

A question and answer session followed all proponents' testimony.

Mark Tallman, Kansas Association of School Boards, spoke to the committee as an opponent on **HB 2367**. First, here is the statement adopted by the KASB Delegate Assembly:

L.E. Tuition Tax Credit, Voucher Systems and Choice Plans

KASB opposes legislation that would use tuition tax credits, voucher systems or choice plans to aid private elementary or second schools which are not subject to the same legal requirements as public school districts. However, KASB supports voluntary efforts to experiment with public school choice plans, such as charter and magnet schools, provided those plans are approved by the local school board. ([Attachment 7, 8](#))

Dr. Gary George, Assistant Superintendent of Schools, Olathe Public Schools, spoke to the committee as an opponent on **HB 2367**. I am present today to express our opposition to **HB 2367**. This bill provides tax credits for an organization which uses the money to grant scholarships to students. The bill provides preference for students of poverty and special needs students prior to others. The tax credit gradually increases to 50 percent over a period of years. The total cost of the tax credits is capped at \$10M in forgone tax revenue as written in the bill. These types of programs are essentially back door approaches to private school vouchers. We oppose this program on a number of grounds. ([Attachment 9](#))

John Koepke, Kansas Families for Education spoke to the committee as an opponent on **HB 2367**. We stand firm in our belief that public tax dollars should be used to support public institutions. We oppose a tax credit for private schools just the same as we would oppose a tax credit for private fire protection or for private police protection. Public Schools are open to every one of our citizens, and private institutions, even with tax credits, will not be open to every student. ([Attachment 10](#))

A question and answer session followed all opponents' testimony.

Chairman Aurand closed the hearing on **HB 2367**.

Chairman Aurand announced there might be an appointment of a sub committee on this Bill. He asked if anybody would like to serve on this committee, to let him know.

The meeting was adjourned at 10:45 a.m. The next meeting would be March 16, 2011.