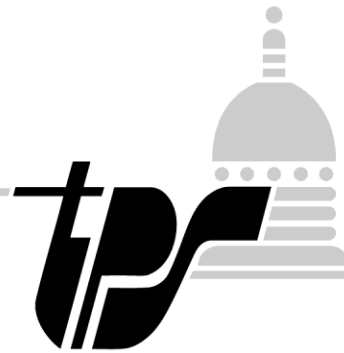


House Education Committee
February 18, 2013
HB 2263



Honorable Kasha Kelly and Members of the House Education Committee:

Topeka Public Schools opposes House Bill 2263 for the following reasons:

Tuition tax credits, voucher systems, charter schools, or choice plans to aid private elementary or secondary schools are not subject to the same legal requirements and accountability standards as public school systems. The issue is not educational “choice” but using public funds to support schools that can discriminate in admission, provide sectarian religious instruction and “compete” under different rules than public schools.

Specific provisions within HB 2263 that are detrimental to students:

- HB 2263 exempts the school district from responsibilities for students receiving “scholarships.” This is a violation of Federal and State guidance regarding special education as the resident school district is held accountable for provision of specialized instruction *even when* such instruction is provided in a parochial/private school setting.
- Current Kansas law allows a family to designate their home as a private school. The HB 2263 definition of “participating school” opens the door to non-accredited, private, home schooling and provides no procedural safeguards for students whose parents choose to collect a “scholarship” and, in an autonomous fashion, determine educational practices and specialized instruction necessary to assist a student with a disability. In addition, the private school may choose to exempt such a student from State assessments. In short, there is no educational accountability.
- The fiscal impact of this bill is unknown. The bill requires study of fiscal impact *after* implementation.
 - Transportation requirements are vague with the potential for extraordinary costs assumed by the public school district, to add further detrimental impact to public schools.
 - Students are allowed to transfer between private schools, and from private to public schools as determined by parents. Tracking and proration of funds will be extremely difficult, especially in situations where the private school is receiving less than the \$50,000 stipulated in this bill and not required to provide proof of fiscal viability. In addition, public schools employ staff for a school-year; this bill makes it difficult to make wise staffing decisions.
- There is no documented need for this bill.
 - The bill assumes students are “victimized”; this term is not defined, nor is data available to support the assertion that the current special education system results in students who are victimized.
 - Data do not exist to substantiate the need for a massive over-haul of special education. The State of Kansas receives very few formal complaints or requests for due process, both of which would be indications parental discontent or victimization of students. In Kansas, approximately 75,000 students are provided special education services, formal complaints and due process filings combined result in no more than 50 complaints annually.

Respectfully submitted,
Dr. Linda Aldridge, General Director of Special Education Services