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Testimony before the
House Education Committee
on
**HB 2400 – concerning schools; enacting the corporate education tax credit scholarship program
act; providing for educational scholarships; authorizing a tax credit**

by
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Madame Chairman, Members of the Committee:

Thank you for the opportunity to testify on **HB 2400**. We appear as an opponent.

Although the intent of this bill is similar to others heard in this committee – shifting state resources to schools that are not under state control – it does so in a different way.

The bill allows 501(c) (3) s, called scholarship granting organizations, to take donations from corporations that they can give away as scholarships. The corporations would receive a 70% state tax credit for their donation, which can be carried over to the next year, if necessary. There would be a limit of \$10 million extended in credits, which translates to a hit of \$10 million to the state general fund.

Students eligible for the scholarship must be from a family with no more than 185% of the federal poverty line, which, for a family of four, is close to \$44,000 and have an Individual Education Plan. By participating in the program, the student would waive their right to special education services provided by any school district, unless such school district agrees to provide such services. The scholarship could not exceed \$8,000 and could be spent on both tuition and transportation.

Proponents for this bill will tell you it's about choice. They'll tell you a fundamental freedom of a parent is to have control over their child's education. In this case, they'll tell you it's about ensuring children with educational disadvantages presented by disability or economic hardship having a special program to overcome perceived shortcomings in their local school, which is overseen by a group of their peers who face election every two years.

This bill, however, is not about choice, it's about discrimination. The SGOs can give their money to the students that fit their definition of who's the right choice. They can't discriminate on race or religion, but they can discriminate on severity of the disability, the capacity of the income-eligible family, or even athletic prowess.

It's about taking money from taxpayers and giving it to organizations that have no obligation to spend it in the interest of those taxpayers. It's about giving the money to "qualified" nonpublic schools whose only qualification as outlined in the bill is they are willing to take the money. There is absolutely no academic accountability of the receiving students to the taxpayers who have provided the money. In

fact, given the definition of a home school is simply a non-accredited school; money could be given to parents who say they are home schooling and who could then essentially spend it any way they want.

And this bill, or possibly a law in the future, that with a few amendments, could have a profoundly detrimental effect to all the students remaining in their public school. By removing the cap on contributions, lifting the income cap of qualified families, and removing the IEP requirement, Kansas would have a voucher system that would entice easy-to-teach students with the most supportive parents to private schools and leave the poorest, the ones with the most severe disabilities and the least supportive parents in a second-rate system of public schools.

Let's return to the issue of "choice." Proponents of this bill will tell you choice is good. It is good. But it's not right when I am forced to pay for YOUR choice. If a parent wants their kid in a better or different situation, move, enroll in a private school, or home school, but asking the taxpayer to pick up the tab for that choice is akin to the following situation. There are at least three safe, legitimate routes to get from Topeka to Emporia. Two of them are free and provided by taxpayer money. The other charges a toll for the privilege of using the road. There are people who would like to take the turnpike but can't afford it. Would a discussion about setting up Toll Granting Organizations to subsidize a certain group of travellers who don't want to take one of the other public roads provided by taxpayers get much traction as a policy question? I don't believe so.

This bill represents another attempt, under the guise of "school choice," to undermine the high-quality system of schools that have been built in Kansas over decades by supportive taxpayers and committed educators. Let's not choose to take **that** road as we move into the future.

Thank you for this opportunity for input.