

MINUTES OF THE SENATE EDUCATION COMMITTEE.

The meeting was called to order by Chairperson Senator Dwayne Umbarger at 1:35 p.m. on March 11, 2003 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Carolyn Rampey, Legislative Research  
Kathie Sparks, Legislative Research  
Theresa Kiernan, Revisor of Statutes  
Judy Steinlicht, Secretary

Conferees appearing before the committee: Representative Sue Storm  
Leo Prieto, US Hispanic Leadership Institute, KC  
Kim Voth, teacher, Wichita East High School  
Dulce Calderon, Graduate, Wyandotte High School, Kansas City  
Crystal Sauhueza, Newton School District  
Javier Magdalano, Jardine Edison Middle School  
Mira Mdivani, Immigration Attorney, Klamann & Hubbard, PA,  
Overland Park, KS  
Veronica Casterienda, Wichita State University  
Monica Hashmi, Migrant Services Coordinator, USD 253, Emporia  
Elias Garcia, Hispanic Caucus  
Paul Degenar, Concerned Citizen, Topeka  
Don Whitten, Concerned Citizen, Wamego

Others attending: See attached list

**Substitute for HB 2145—Postsecondary educational institutions, resident tuition and fees for certain non citizen students.**

Representative Sue Storm, sponsor of the bill, explained that the bill would allow a person, regardless of immigration status, who has attended a Kansas high school for at least three years and graduated from a Kansas high school, or has achieved the GED credentials to enroll in Kansas public institutions of higher education at the in-state tuition rate. Immigrants would not be exempt from any of the requirements for qualified admissions. The bill does not allow them to receive federal financial aid or financial aid through the state. Most of these students have lived most of their lives in Kansas, are not going anywhere and will hold jobs in Kansas. It is in their best interest and in the best interest of all Kansans that they have the training and education necessary to get good jobs in order to provide for themselves and their children. They should have the opportunity to better themselves and fulfill their dreams. ([Attachment 1](#))

Mr. Leo Prieto, United States Hispanic Leadership Institute, was an immigrant student himself going through the Kansas education system from grade school through college. He has worked as a

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Congressional Hispanic Caucus Institute Fellow on Capitol Hill helping to shape education and immigration policy at the national level, and is now serving as the Central States Regional Director for the US Hispanic Leadership Institute. He supports **HB2145** and points out that his concern is for the students who have graduated from high school and have not yet become US citizens. The college tuition rate for out-of-state students is insurmountable for most of these students. These families have been paying sales tax, property tax, income tax, social security tax and medicare tax. **HB2145** will empower the many talented immigrant students to further their education, become citizens and become assets to the state of Kansas. ([Attachment 2](#))

Kim Voth, Counselor, Wichita Public Schools, testified in favor of **HB2145**. The federal government and Supreme Court have ruled that the public school system will be responsible for educating children of illegal immigrants from grades K-12. Kim shared stories about several of her students. They have lived in Kansas for as long as they can remember. They have overcome language barriers, economic barriers, and many other struggles. The opportunity to attend college would be an incentive for many of these students to stay in school and graduate. ([Attachment 3](#))

Dulce Calderon, a graduate of Wyandotte High School, Kansas City, KS is a single mother of a two month old baby. She would like to go to college to set an example for her son, but it is out of her reach. She would like all to remember that this country was built by immigrants from all over the world. She feels that they are all Americans, even if they were not born here or legal. She believes we are together and united as one nation to make a better tomorrow for our children and our children's children. ([Attachment 4](#))

Crystal Sanhueza teaches Spanish and a Native Speakers class at Newton High School and sees a great need for passage of **HB2145**. Her students work doubly hard to learn academic English and the course work for their high school diploma. Many of her Hispanic students see no reason to stay in school if they cannot go to college. Crystal testified that we need to quit throwing away the hours of time that Kansas educators have dedicated to the success of these Kansas students. Kansas is depriving itself of future business men and women. ([Attachment 5](#))

Javier Magdaleno is a member of the Sunflower Community Action, Hispanos Unidos Chapter and a student at Jardine Edison School. Javier came to represent all the students from Wichita to ask that we allow each one of them to be able to reach their dreams of being good citizens and professionals that can serve our country by bettering themselves. He saw his older sister struggle to become a citizen and go to college to become a child psychologist. He believes **HB2145** offers a solution that assures they can continue believing in their dreams. ([Attachment 6](#))

Mira Mdivani, Immigration Attorney, Klamann & Hubbard, PA, Overland Park, KS. testified in favor of **HB2145**. Mira gave the Committee many facts and examples regarding the process the immigrants must go through to obtain a green card and become legal citizens. Many children were brought here when they were young and had no choice in the matter. These children identify themselves with this country, have lived here most of their lives, speak excellent English and have worked hard in school. They deserve access to college to make their dreams come true. ([Attachment 7](#))

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Veronica Castaneda is a member of the Sunflower Community Action, Hispanos Unidos Chapter and a student at Wichita State University. She is now a documented student, but went through the same terrible situations present undocumented students are going through. She believes **HB2145** offers a solution to these undocumented students. These students just want justice and equality in attending college at the same price as any other student in Kansas. (Attachment 8)

Monica Hashmi, Migrant Community Resource Coordinator, Emporia USD 253, testified in support of **HB2145**. She believes passage of **HB2145** will give immigrant students the opportunity to continue their education and become productive members in their communities. (Attachment 9)

Elias L. Garcia, Kansas Hispanic Caucus, testified in support of **HB2145**. He believes the bill is reasonable and the right thing to do. Education is the key and the bridge that connects all people and all communities and he feels it is incumbent on members of our society and the legislature to endeavor to eliminate all barriers toward securing a post-secondary education on behalf of those students who have earned the right to succeed. (Attachment 10)

W. Paul Degener, concerned citizen, testified against **HB2145**. He believes it is a well established fact that when persons from a foreign country enter this country without going through the proper procedures, they are considered illegal aliens and have violated the established immigration laws of this country. If we, as citizens break the law, we pay fines and serve time in prisons. He does not believe that the Legislature should consider legislation that would offer the same benefits to illegal aliens as is offered to tax paying citizens of the state of Kansas. Mr. Degener also fears hidden expenses if this bill is passes. (Attachment 11)

Donald K. Whitten, concerned citizen, testified against **HB2145**. Mr. Whitten believes that support of this bill granting privileges to an illegal immigrant is a vote against the very judicial system originally designed to protect society as a whole. (Attachment 12)

Written testimony was given to Committee members by Mary Prewitt, General Council, Board of Regents, taking no position on **HB2145** (Attachment 13); Carol Bradford, Interfaith Ministries (Attachment 14), Raul R. Guevara, Member of Buena Gente, Haysville (Attachment 15), and Dr. Brent Metz, Latin American Studies (Attachment 16), University of Kansas and ElCentro, Kansas City, Kansas (Attachment 17) all providing testimony in favor of **HB2145** and Ann Meritt, Concerned Citizen, giving testimony in opposition of **HB2145**. (Attachment 18)

Meeting was adjourned at 2:35 p.m. The next meeting is scheduled for March 12, 2003 at 1:30 p.m. in Room 123S.