



## Schools for Quality Education

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### House K-12 Education Budget Committee

February 23rd, 2021

### Senate Bill 61

Opponent Written Testimony By

**Nathan Grebowiec, Board Member,  
USD 270 - Plainville and President - SQE**

Chair Williams and members of the committee. Thank you for the opportunity to provide testimony today on behalf of Schools for Quality Education, an organization of 86 rural school districts from across Kansas. Our schools pride themselves as being essential mainstays to the economic health and welfare of our rural communities. A review of **Senate Bill 61**, that proposes to expand the tax credit scholarship program, raises many concerns, a few of which we would like to bring to your attention.

First, accountability is a paramount concern. Our public schools, through our locally elected board members, are held to account to our taxpayers and patrons every election cycle. We are also held accountable by the Kansas Board of Education as it guides and oversees our work. In addition, the legislature provides oversight, as witnessed by many of the recent Legislative Post Audit studies, such as: evaluating special education costs; unencumbered cash balances; and bilingual funding and expenditures. The federal government also holds our local schools accountable to provide essential services to our students, often without full reimbursement for the costs we incur. We welcome this accountability because any entity that receives public funds must be held to account for how they spend those tax dollars. Unfortunately, we do not see that same accountability with the private schools who benefit from the tax-credit scholarship program. We strongly suggest that the legislature consider exercising similar oversight to this program paid for with public funds.

Our schools are also subject to many, often unfunded, mandates. Several years ago, the US Supreme Court's *Lau* decision required all public schools to educate non-English speaking students, regardless of cost. The Individuals with Disabilities Act (IDEA) requires each district to provide a Free Appropriate Public Education (FAPE) to every student. Recent LPA audits have shown that our schools incur more in at-risk, special education and bilingual (ESL) costs than what they receive in reimbursements from the state and federal government. There are many other services public schools provide to benefit and protect our students, including the recent collaborative efforts with the state board and the legislature to prevent bullying and to

implement evidence-based practices for students with dyslexia. Private schools are not required to provide these important services.

As public schools we willingly open our doors to all students, regardless of race, religion, gender, sexual orientation, etc. We cannot and will not discriminate. Public schools are subject to Titles VI of the Civil Rights Act, Title IX, the IDEA, Title II of the Americans with Disabilities Act, and Every Student Succeeds Act. Private schools are not subject to these enactments. In addition, students who attend private schools give up their First Amendment, due process, and other constitutional and statutory rights that are guaranteed to them in public schools. Public funds should never be used to fund discrimination.

Thank You for the opportunity to express our concerns in opposition to **Senate Bill 61**.

Nathan Grebowiec  
President, Schools for Quality Education  
School Board Member, USD 270 - Plainville