



SMAC PTA LEGISLATIVE UPDATE

May 10, 2021

The 2021 Kansas legislative session has come to a close, ending on a pretty positive note for Kansas schools. This update will go over the resulting K-12 budget and discuss the outcome of other bills impacting Kansas kids and schools.

K-12 Education Budget

Throughout the session, members of the legislature attempted to pass 1) bills that didn't fully fund the education budget as required by the Gannon Supreme Court case, 2) bills that would greatly expand voucher type programs that divert public tax dollars to private schools, and 3) bills that attempted to supplant the state's responsibility to fund our schools with one-time federal dollars meant for COVID expenses, such as addressing student learning loss.

As a result, the legislature went into the final week of the session with a budget that did not include funding for K-12 schools. The day before the session ended members of both chambers and members of both political parties came together in conference committee and created a school funding plan (conference committee report HB 2134) that passed both chambers late Friday night with overwhelming bi-partisan support. Below are the highlights of this K-12 funding bill that is expected to be signed by the governor:

- **Fully funds schools as per the Gannon Supreme Court case**
This was the biggest concern going into the 2021 legislative session, so it was good to see the legislature come together in bi-partisan fashion to fully fund both the 2021-2022 and the 2022-2023 school years. Having a known budget for the two upcoming school years will greatly benefit school boards with their budget process.
- **Reduced expansion of the Tax Credit Scholarship program**
The budget bill does include an expansion of the voucher like Tax Credit Scholarship program that diverts public tax dollars to private schools, but it is a smaller expansion than originally proposed and passed by the House (and narrowly defeated by the Senate) in bill SB 175 (sub for HB 2119).

At its inception, the Tax Credit Scholarship program was intended for at-risk students, defined as those receiving **free** lunch and attending one of the **100 lowest performing elementary** schools.

This year the bill that passed in the House expanded the program to free and **reduced** lunch **K-12** students attending **any** school. The expansion in the final bill, included all of the same parameters, but it was limited to **K-8** students.

- **Removal of Education Savings Accounts**

Bill SB 175 (sub for HB 2119) that originally passed in the House would have created Education Savings Accounts, another voucher type program that diverts public tax dollars to private schools. ESA's reduce the amount of state revenue available to fund public schools. The ESA program was ultimately left out of the final bill. **Although ESA's did not come to fruition this year, this is something to keep an eye on during the 2022 legislative session.**

Ideally, the legislature would have passed a clean K-12 funding bill with no other items attached. However, in the end, the legislative session concluded with a decent compromise bill. You can read a more detailed report from the Kansas Association of School Boards [here](#) and this [link](#) will take you to the full conference committee report HB 2134.

How did SMSD area legislators vote? Find your legislator at openstates.org.

All of the SMSD area legislators voted in favor of the final conference committee report HB 2134.

However, legislators differed in their votes on the original bill that included the larger Tax Credit Expansion and created Education Savings accounts. On that bill the votes were as follows:

In favor: *Senators Thompson and Warren, AND Representative Esau*

Against: *Senators Corson, Holscher, Sykes, and Pettey AND Representatives Clayton, Featherston, Hoyer, Ousley, Neighbor, Parker, Poskin, Ruiz, Stogsdill, Vaughn, Woodard, and Xu*

Other Bills Impacting Kansas Kids and Schools

The bills below were all vetoed by Governor Kelly. A number of those vetoes were overturned and have now become law, while a few of the vetoes were sustained and will not become law.

Veto Overrides – New Kansas laws

Tax Policy: Tax reform resulting in \$285 million reduction in revenue (SB 50)

There is concern among education advocates that this significant tax cut could put school funding in jeopardy. As discussed above, the legislature did prioritize funding schools per Gannon for the next two years. It will be important to watch state revenues over time to ensure schools can continue to be adequately funded and don't slide back to the days of the Brownback tax cuts that severely cut school funding.

Gun Safety: Conceal carry now legal for 18-year-olds (HB 2058)

This law is concerning as many high school seniors are 18-years-old. Reducing the conceal carry age in Kansas to that of many high school seniors, puts this bill in opposition to gun safety line items in [SMSD's Legislative Platform](#) and [Kansas PTA's Legislative Priorities](#).

Voter Suppression: Restricting advanced ballot delivery (HB 2183) & blocking election and judicial officials from modifying election laws even during a natural disaster (HB 2332)

Despite a presentation to the legislature from the Secretary of State explaining that the 2020 election was secure and fair, the legislature decided to change current voting laws in Kansas. Laws that make voting more difficult can have an impact on a wide range of issues in Kansas, including education.

How did SMSD area legislators vote on these new laws?

Voting in favor of these bills: *Senators Thompson and Warren, AND Representative Esau*

Voting against these bills: *Senators Corson, Holscher, Sykes, and Pettey AND Representatives Clayton, Featherston, Hoyer, Ousley, Neighbor, Parker, Poskin, Ruiz, Stogsdill, Vaughn, Woodard, and Xu*

Vetoes Sustained – Will not become law

Both of the bills below dealt with situations of legislative overreach in which the legislature was attempting to insert its powers into matters that are the responsibility of other government entities.

Requiring passing a civics exam and a financial literacy course to graduate (HB 2039)

Graduation requirements and curriculum decisions are the responsibility of the Kansas Department of Education and local school boards who have a better understanding of existing curriculum and the complexity of fitting in additional requirements to graduate. This is simply not the job of the legislature. Note, civics is already included in Kansas curriculum and SMSD requires a financial literacy course to graduate.

Banning trans girls from participating in girls' sports (SB 55)

Not only is this bill harmful to trans youth and their families, but the Kansas High School Activities Association (KSHSAA) already has a policy in place. Additionally, there are just 5 trans girls competing across the state of Kansas, all without issue.

How did SMSD area legislators vote?

Voting in favor of these bills: *Senators Thompson and Warren, AND Representative Esau*

Voting against these bills: *Senators Corson, Holscher, Sykes, and Pettey AND Representatives Clayton, Featherston, Hoyer, Ousley, Neighbor, Parker, Poskin, Ruiz, Stogsdill, Vaughn, Woodard, and Xu*

In Closing

The 2021 legislative session kept education advocates on their toes with lots of last-minute content changes to bills and even bill numbers. Keeping track of things in Topeka can be a challenge, but for the sake of our kids it's important to pay attention. Thank you to everyone who took the time to stay up to date and to contact your legislators. It's always important for them to hear from their constituents – a good thing to remember for 2022!