



SMAC PTA LEGISLATIVE UPDATE

January 23, 2024

We are two weeks into the 2024 legislative session which started unexpectedly with the House and Senate quickly passing a new flat tax policy that could negatively impact public education funding.

Below is a discussion about the tax policy and other priorities from [Kansas PTA's](#) and [SMSD's](#) legislative platforms that have already come up or that we expect to emerge this session:

- Special Education¹ – currently underfunded
- Vouchers² – attempts to divert public tax dollars to private schools
- Gun Safety³ – constitutional amendment that could weaken current gun laws
- Medicaid Expansion⁴ – could help SMSD families

Flat Tax bill (CCR 2284) passed both chambers

Leadership bypassed the usual legislative process (e.g., committee hearings, public testimony, opportunity for amendments) to rush through a significant change in the Kansas tax system moving from a progressive tax (like at the federal level) to a flat tax. The tax bill passed by the legislature is estimated to reduce state revenues by \$1.6 billion over three years.

Large reductions in state revenue put public education funding at risk. The previous tax experiment implemented under Governor Brownback resulted in over a decade of underfunding. This is a risky time to implement a new tax experiment. General education funding was finally restored to 2009 levels (adjusted for inflation) last school year and we are still fighting for the full funding of special education (SPED).

If the Governor vetoes the bill, legislators would need two more votes in the Senate and three more votes in the House to override a veto. The Governor's office has proposed a [bi-partisan tax cut plan](#) in conjunction with a proposed budget that fully funds general and special education.

See the [2023 KS PTA Testimony opposing a similar flat tax](#) for more information on the impacts.

How did SMSD area legislators vote on CCR 2284? Type your full address at [pluralpolicy.com/open](#) to find your senator and representative.

CCR 2284 passed the Senate 25-11 and the House 81-37; *Representative Donohoe was absent.*

Voting NO: *Senators* Corson, Holscher, Sykes, and Pettey & *Representatives* Clayton, Featherston, Hoyer, Ousley, Meyer, Neighbor, Poskin, Ruiz, Stogsdill, Vaughn, Woodard, and Xu

Voting YES: *Senators* Thompson and Warren & *Representative* L. Williams

Fully Fund Special Education — don't miss the Action Alert

State law requires the state to fund 92% of excess special education costs. However, the state has not met this obligation since 2011 and the shortfall has been growing year after year:

- statewide shortfall for fiscal year 2024 is expected to be \$173 million
- districts must cover shortfall with funds meant for general education
- SMSD is moving \$10 million in general education funds to cover the shortfall

All kids are impacted when money must be taken from general education funds.

The [State Board of Education](#), the [Governor](#), and members of a [Special Education Task Force](#) have all endorsed similar plans to phase-in special education funding to get the state back to funding at the 92% level. Legislative leadership has yet to put forth a plan to fully fund SPED.

We will need to put more pressure on members of the legislature to make fully funding SPED a priority in 2024. In 2023, despite having a proposal from the Governor to phase-in funding, the only attempt legislative leadership made to fully fund SPED was to use one year of the funding phase-in as leverage to try to pass a massive voucher plan that ultimately failed.

Time to take action! Don't miss the Action Alert relating to SPED at the end of the newsletter.

Vouchers divert public tax dollars to private schools

Kansans did a fantastic job last year fighting off a massive Education Savings Account voucher program that would have provided public tax dollars to private and home schools. We need to protect the education of the over 90% of Kansas kids who attend public schools. We've seen these voucher programs in other states create major budget cuts to public education.

Public tax dollars should remain with public schools that accept and educate all children.

We expect to see more attempts to create Education Savings Accounts or similar voucher programs this legislative session. Watch for future Action Alerts!

Constitutional Amendment impacting Gun Safety (HCR 5020)

The Kansas Bill of rights already has protections for gun owners and Kansas currently has very few restrictions on the books. However, 72 representatives have signed on to a resolution to amend our state constitution to add protections for ammunition and gun accessories and to apply a heightened legal test for gun restrictions, referred to as "strict scrutiny."

If the resolution is passed by 2/3 of the House (84 members) and 2/3 of the Senate (27 members), it will be placed on the November ballot where a simple majority vote will be needed to amend the constitution. Only 4 other states require "strict scrutiny" when it comes to gun

legislation. This amendment could loosen the firearm laws currently in place and make it more difficult to pass new laws to curb gun violence in the future.

Resolution HCR 5020 has a committee hearing this week. Watch for Action Alerts as it winds through the legislative process.

SMSD Representative currently co-sponsoring HCR 5020: Rep. Owen Donohoe

Medicaid Expansion

Kansas is one of 10 states that has yet to expand Medicaid. There is a new push to expand Medicaid this year with two bills being introduced — SB 355 in the Senate and HB 2556 in the House. Without Medicaid Expansion, 150,000 Kansans fall into a coverage gap and are unable to obtain health insurance.

Medicaid Expansion continues to have bi-partisan support and it continues to be a legislative priority for SMSD. According to SMSD's legislative platform there are a significant number of SMSD families who would be helped by Medicaid Expansion. Healthy families put students in a space where they are better able to learn.

Action Alert — you can make a difference!

Our first Action Alert is for special education funding, but please watch for future action items as they arise in regards to the other issues discussed above.

Fully Fund Special Education

There is a big push this year to urge legislators to fully fund SPED. We need as many people as possible to reach out to their legislators. **Encourage your friends to send an email!**

The sample email below is addressed to all of the legislators in the SMSD area and the CC: includes the majority and minority leaders in both the House and Senate.

SAMPLE EMAIL (copy & paste) Can also find and share email at bit.ly/SMACFullyFundSPED

Personalize by using your own wording, adding a personal story, mentioning schools your child(ren) attend, etc.

TO: Pat.Petty@senate.ks.gov, Ethan.Corson@senate.ks.gov, Cindy.Holscher@senate.ks.gov, Mike.Thompson@senate.ks.gov, Kellie.Warren@senate.ks.gov, Dinah.Sykes@senate.ks.gov, Laura.Williams@house.ks.gov, Linda.Featherston@house.ks.gov, Joella.Hoye@house.ks.gov, Cindy.Neighbor@house.ks.gov, stephanie.clayton@house.ks.gov, Mari-Lynn.Poskin@house.ks.gov, Jerry.Stogsdill@house.ks.gov, Lindsay.Vaughn@house.ks.gov, susan.ruiz@house.ks.gov, jarrod.ousley@house.ks.gov, rui.xu@house.ks.gov, Heather.Meyer@house.ks.gov, brandon.woodard@house.ks.gov, Owen.Donohoe@house.ks.gov

CC: Ty.Masterson@senate.ks.gov, Dinah.Sykes@senate.ks.gov, dan.hawkins@house.ks.gov, Vic.Miller@house.ks.gov

Subject: Fully Fund Special Education

Dear SMSD area legislators,

I urge the legislature to prioritize the full funding of special education. All students are being impacted by the underfunding of special education as districts must move money from their general education budget to cover the shortfall in special education funding. In SMSD, where my child is enrolled, \$10 million is being transferred to special education. These are funds that could otherwise be used for resources to better support educational outcomes for students, such as additional paras, counselors, social workers and math aides, or instructional materials, or mental health supports. It is time for the state to meet its obligation to fund 92% of excess costs.

Our schools will not be fully funded until special education is fully funded.

Sincerely,

Your name & city & maybe (parent of student at _____ school)

Footnotes

¹ Kansas PTA Priority 3 – Fully Fund Special Education and other Mandates

Kansas PTA supports efforts to fully fund state and federal education mandates, particularly special education, without disproportionately shifting the required financial obligation to local communities.

SMSD Legislative Platform – School Finance

Support special education services and state funding at the required 92% of excess costs and mitigate the wide variance in reimbursements...Shawnee Mission fully pays for the required (and additional) special education services for our students. We pay for it, but the district does not receive funding. Each year, we are forced to shift funding from other areas of need to fill the budget hole that state funding does not fill...In addition, unreimbursed special education costs impact ALL students, as students with an IEP are general education students first, and spend most of their time in the general education classroom.

² Kansas PTA Legislative Priority 11 – Public Dollars for Public Education

Kansas PTA opposes the use of vouchers for the tuition of non-public schools, also known as tax credit scholarships, choice, education freedom. Non-public schools are not required accept all students, can discriminate in admissions, mandate religious instruction, operate under different rules of transparency and accountability, waive access to special education services and such.

SMSD's Legislative Platform – Support for Public School

SMSD will support legislation to repeal or reduce the private education tuition tax credit program, and oppose vouchers, corporate scholarships or similar programs, and oppose any efforts to divert public, taxpayer funds to private education savings accounts.

³ Kansas PTA Legislative Priority 8 – Gun Safety

Kansas PTA supports comprehensive efforts to improve the safety of our nation's youth and our communities, including gun safety and violence-prevention measures.

SMSD’s Legislative Platform – Health, Safety and Social Emotional Well-Being

Support efforts to keep schools safe from gun violence, including financial support for threat assessment programs in schools, security upgrades, effective emergency planning assistance, and responsible firearm storage.

⁴ **Kansas PTA Priority 10 – Access to Affordable Quality Health Care**

Kansas PTA supports efforts to develop and fund comprehensive health care programs, including school-linked health clinics, and to provide equitable access to quality, affordable health care for all children.

SMSD’s Legislative Platform – Health, Safety and Social Emotional Well-Being

Support Medicaid expansion, which will increase health insurance coverage for a significant number of families in our community, promoting family access to health care...which will increase the opportunities for students to be successful in school.