



# SMAC PTA LEGISLATIVE UPDATE

January 30, 2023

Today's update is focused on the continual attempts to expand voucher programs in Kansas.

## Vouchers divert public tax dollars to private schools

Two voucher bills have been introduced so far this year—Tax Credit Scholarship Expansion and Education Savings Accounts. Although these both have nice sounding names that don't include the word voucher, they [operate like vouchers](#) by diverting public tax dollars to private schools.

Voucher programs have created major cuts to public education budgets in other states. We need to protect the education of Kansas kids (over 90%) who attend public schools, particularly when the state isn't fully funding special education. Watch for a future update on SPED.

[Kansas PTA](#)<sup>1</sup> and the [Shawnee Mission School District](#)<sup>2</sup> oppose the use of public funds for non-public schools.

**It's important to let legislators know we are paying attention!** Take note of the Action Items.

## Tax Credit Scholarship Expansion

When enacted, the stated intent of this voucher program was to help low-income (at-risk) students. It was available for K-8 students eligible for **free lunch** (the at-risk qualifier in the school funding formula) who were attending one of the **100 lowest performing schools**.

## Year after year continual attempts to expand the program

In 2021, the program was expanded to **reduced lunch** students and those attending **any school** in the state. This year, House Bill [HB 2048](#) and the identical Senate Bill [SB 83](#) seek to greatly expand eligibility, increase the tax credit from 70% to 100%, and increase the **annual** program cap from \$10 million to \$20 million.

## At-risk intent has been lost

With the increase in eligibility, private schools can participate in the program without accepting a single at-risk student.

## Promotes tax avoidance

Currently, an individual or entity can contribute up to \$500,000 annually to the program and receive a 70% dollar for dollar reduction in their taxes. With a 100% tax credit, they can effectively avoid paying any taxes to the state by instead funding private schools. [Tax credits are also more favorable than tax deductions](#), the usual treatment for charitable donations. This program puts public schools at risk by reducing available funds.

More than \$21 million in public funds have been diverted to private schools under this program. If the tax credit had been 100% from inception, the total would have been \$30 million.

## Creation of Education Savings Accounts

For the third year in a row a bill has been introduced to create Education Savings Accounts that allow for an amount equal to the BASE per student aid to be transferred from public school funds to an individual student's account. Those funds can then be used to pay for tuition and other education expenses at a non-public school.

We are still waiting on a bill number and full details, but past bills were estimated to divert \$100-\$300 million from our public schools to private schools.

## Major Concerns with Voucher Programs

The following are some of the concerns with both the Tax Credit Scholarship and Education Savings Account voucher programs:

- Diverts public tax dollars to private schools at a time when legislators should be focused on the \$160 million shortfall in special education funding.
- Private schools can choose which students they accept, whereas public schools educate ALL Kansas students regardless of academic ability, physical ability, religion, sexual orientation, and so on.
- Private schools are not held to the same accountability standards and are not required to participate in state testing.
- Programs have no review process in place to evaluate if students are achieving.
- Continued research demonstrates that private [school vouchers don't improve student achievement](#).

Review the recent [testimony submitted by Kansas PTA](#) opposing bill HB2048.

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

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## Action Items — you can make a difference!

### Bill HB 2048 — email House K-12 Committee members

The committee had a hearing last week and may vote on Tuesday, January 31 to pass the bill out of committee. Email members and urge them to vote no on the Tax Credit Scholarship expansion.

### Information for Email (much of this can be copied & pasted)

**TO:** Brad.Boyd@house.ks.gov, susan.estes@house.ks.gov, randy.garber@house.ks.gov, Jason.Goetz@house.ks.gov, Scott.Hill@house.ks.gov, timothy.johnson@house.ks.gov, brenda.landwehr@house.ks.gov, jarrod.ousley@house.ks.gov, Mari-Lynn.Poskin@house.ks.gov, Rebecca.Schmoe@house.ks.gov, Adam.Thomas@house.ks.gov, kristey.williams@house.ks.gov, valdenia.winn@house.ks.gov

**CC:** [dan.hawkins@house.ks.gov](mailto:dan.hawkins@house.ks.gov), your representative (find at [openstates.org](http://openstates.org)) — not necessary, but good to do

Note: Dan Hawkins is the House Speaker and controls which bills ultimately go to the floor for a vote.

**SUBJECT:** Vote NO on HB 2048

**Example Message:** — using your own words or a personal story is always best.

Dear K-12 Education Budget Committee members,

As a parent in the Shawnee Mission School District, I urge you to vote no on bill HB 2048. Our public tax dollars should stay with our public schools that serve all children, regardless of need. Instead of expanding the Tax Credit Scholarship program when there is no evidence to ensure participating students are succeeding, please stay focused on our public schools that educate 90% of Kansas kids. Our tax dollars should be used to fully fund special education.

Sincerely,  
[Your Name]  
[City]

### **Bill SB 83 & Education Savings Accounts – prepare testimony (written or oral)**

**We need parents to provide written (or oral) testimony to ensure opposition to vouchers in Kansas is on the public record.** Testimony can be detailed, or short and to the point; including a personal story is helpful if you have one. In 2022, testimony demonstrated that opposition to ESA’s outweighed support 89 to 5. Example testimony from 2022 can be seen [here](#).

Draft written testimony now and be ready to submit it once we know the deadlines and requirements for submission. Email [smacleg1@smac-pta.org](mailto:smacleg1@smac-pta.org) if you want to submit testimony and we’ll update when the details are available.

### **Testimony Basics**

Testimony basically includes a greeting to committee members, opening with a sentence saying you oppose [bill number], your reasons for opposition, close by asking them to vote no on [bill number], and then include your name, maybe a title (could be SMSD parent), and your city.

Thank you for staying engaged and supporting our public schools. Watch for future legislative updates, as this is shaping up to be a consequential legislative session.

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### **<sup>1</sup> [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.

### **<sup>2</sup> [SMSD’s Legislative Platform](#) — Support Public Schools**

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