

Letter to a fellow Kansan in response to questions posed:

Thank you for your email explaining your opposition to House Sub SB 83.

First, it was good to hear of your background in education. We have something in common. Both my parents were teachers (retired). I am a former public school teacher who maintains licensure, and my daughter is a public school teacher. I love kids, love to teach, and have consistently supported public schools both in my private life (I have four children that have all attended public schools and universities) and professional life. No one can claim an exclusive right to wanting good for public schools based on their background or based on a presumed litmus test of acceptable ideals. We all have our own unique backgrounds, experiences, and biases – all of which should give us equal “claim” to an important discussion such as school choice. I don’t buy into the premise that my education background, or your family background, gives either one of us an upper hand when considering education – public or nonpublic. It’s an important topic for everyone.

After reading your comments about “this terrible lobbyist propaganda,” I realized you may have little background or understanding of the incredible progress and success in this arena of school choice that has occurred in other states. You probably haven’t spent the dozens of hours reading over journals with empirical data (not all favorable to choice, but most) to learn of the objective advantages to families that take advantage of school choice – from improved mental health and personal satisfaction for students to greater opportunities for academic rigor and student-centered instruction. There’s a wealth of information that would, at the very least, make a person pause before making such broad and negative statements as shared within your email – if time was allowed to learn. Life is pretty busy! By the standards you shared, the educational successes after decades of choice within states such as Florida and Arizona must have been illusions that really masked disastrous outcomes. But, we know this is false – those states are doing great! The empirical data shows great successes for all students, public and private, as well as greater parental satisfaction when choice is part of the educational toolbox. Here’s just one example: former Governor Jeb Bush is a strong advocate for both public and private schools and transformed both during his tenure as governor in Florida. He brought Florida public schools’ academic achievement from 49th in the Nation to 2nd in reading/math. He did this by simultaneously increasing public school accountability and implementing a series of school choice policies.

You provided three reasons Republicans don’t support school choice, or SB 83, and I felt it appropriate to provide a little information in response and to let you know that most Republicans do support school choice (<https://www.federationforchildren.org/real-clear-opinion-research-poll-school-choice-support-soars/>) – about 75%. We may debate the particulars, but more parents want more choices for the education of their children and are not satisfied with the current options – public school only unless you are fortunate enough to be able to finance an alternative.

Here are some of the three issues you brought up and responses:

You note that it “does not provide necessary reform and support for public schools.” This is not a factual statement as it relates to the last five years in the Kansas Legislature. As for the bill specifically, it was not a school-reform bill. It had four subject areas only. However, we’ve addressed reform consistently since I’ve entered the legislature. Here are the facts:

- The State of Kansas has increased per pupil funding by approximately 135% in the past two decades while the consumer price index rose only 67% in the same timeframe. This suggests that Kansas taxpayers have invested funds above the rate of inflation – not less. That shows commitment.
- From FY 2022 to FY 2024, we are scheduled to increase funding by \$600 million. That’s a HUGE increase. This is based on the accepted formula created from the Kansas Supreme Court Gannon decision which requires a three-year CPI-U average that is applied to base aid and thus to weightings. I’d say that’s commitment.
- Last year alone, we added almost \$33.5 million above and beyond Constitutional funding for Impact aid, career and technical development, mental health, learning loss, dyslexia, and school safety. That shows commitment.
- SB 83 included an increase in special education state aid of \$72.3 million with the promise to have a special education funding taskforce to look at the inequity of distribution and other flaws embedded in the formula. Most superintendents and agencies say the Legislature is underfunding special education are doing so from an emotional, not data-driven, appeal. I could write an entire email on this alone – but this bill acknowledged differences on this and allowed for the Governor’s increase for one year rather than the fiscally irresponsible plan the Governor proposed that would add \$1 billion in new special ed funding while the Federal government has shorted Kansas in special education between \$250-\$300 million every single year. Why is no one championing this with our federal delegation? Since we passed HCR 5004 petitioning the feds, there has been some attention on the subject and now the Governor is chiming in, as well.
- As for reform, how much time do you have? Since I’ve been chair for the last five years, we’ve added transparency and accountability policy in every budget bill except the year of the pandemic (2020). We’ve required for assessment scores to be made available and formatted in ways that are decipherable and easy to locate. We require longitudinal studies of cohort groups from KSDE. We require needs assessments from district administration. We’ve required that if SEL surveys are given in school, parents must see the survey and consent FIRST. We’ve put into statute new laws relating to dyslexia, at-risk students, and 3rd grade literacy. Legislators have gone to State Board meetings and had interims where we looked at one common goal to jointly work on – we selected third grade literacy. The State Board has so much opportunity to dictate in areas of licensure, accreditation, and curriculums in ways the Legislature cannot. Institutional change should come from the State Board leadership; however, sadly this has not happened. Add to the list that we adamantly opposed school closures and the excess dependence of remote learning and did away with both. We have done PLENTY in the area of reform, and would do more, but at the big salary of \$88.66/day for 90 days – we find our time greatly limited. We also, on our own time, have created resources and groups for school board members. We each work in our local communities to help elect quality school board members to tackle local issues. This list is quite incomplete, but I’ll stop on this point – we believe in the necessity to couple good policy with funding. And by the way, we commit to over \$4 billion in SGF and \$9 billion in all funds to K-12 education in KS. It makes up over 50% of our SGF budget – if this doesn’t show commitment, I’m not sure what does.

2. You mentioned that “we fail to address the astronomical local tax funding for school districts.” What would you have us do? Shall we take away taxing authority from local school districts? Pretty sure we’d be violating our Kansas Constitution if we did that or imposed restraints on some of their constitutional responsibilities that include that schools “shall be maintained, developed, and operated by locally elected boards.” Now, we may limit boards, and we do, but taxation is not an area that would be a)

politically possible or b) Constitutional (in my opinion). We have done some very important things to reduce your property tax.

- Last year, we cut approximately \$48 million in property tax relief by increasing the homestead provision from exempting \$20,000 of your property to \$40,000. This, though you may not realize it, reduced your taxes because you could not be taxed on the first \$40,000.

- We passed "Truth in Taxation" which requires local taxing units to provide notice when growing their budgets. They are now required to be revenue neutral (and you receive notices of tax increases and how those increases would impact your property) or they must provide a notice of the meeting and a hearing to increase your taxes/take in more revenue.

- If we paid local units, such as school districts, more from sales tax or income tax – property tax would likely go down, yet it would come back up after a few years. We have historical evidence that supplanting property tax money with other state money only creates a temporary positive effect. Here are a few examples: the LAVTR tax for cities and community college taxes post large State increases. There are likely many other examples of legislative fixes to reduce the most hated tax, the property, tax – but none have been successful at long-term solutions. Keep in mind, the above examples only shift taxes, not really reducing the overall tax burden.

- The best solution: work to elect conservative, low-taxation school board members if this is your desire. The answer is really in the hands of the local voters.

And finally point 3: SB 83 "does nothing to protect private and home education from the same fate as the current public school situation." This is actually false and of course I'll provide examples. I will note that a tyrannical government can exist at any time, without invitation and without citizens taking a dime. Good news – Kansas has its problems, but it is far from tyrannical. We protect the autonomy of both our public and private schools in the realm of curriculum. Here are some points:

- Contents of the bill were reviewed, and approved, by the national Homeschool Legal Defense Association. Their attorneys helped us craft acceptable language that would protect homeschool families from government overreach. HLDA removed their opposition testimony.
- We also worked with the CHECK homeschool group and the Wichita's KSHE (Home Educators) attorney and members. We spoke to this organization, took feedback, and made many changes per their request.
- We included language in the bill that separated our currently registered homeschool with those who may be applying for the ESA program. This is specified in several different ways including defining a private school that excludes Sunflower Education Equity Act Students (thus keeping private homeschool students separated from those that receive \$5,000 from the ESA). In addition – there is no requirement to register a homeschool if partaking within the ESA – so again, the two are separated.
- In Sec. 15 of the bill, it says "nothing in the sunflower education equity act shall be construed to permit any governmental agency to exercise control or supervision of nonpublic or home school. Any qualified school or tutor that accepts a payment... is not an agent of the State."
- It also protects non-users, those who do not participate in the program "shall not be subject to such requirements." This in effect says if you do not take any money, you are not impacted. However, the complaint some legislators have is "too little accountability." We do this to protect the educational and religious freedom of the parents as those parents make decisions about their child's education. There is a requirement that a qualified school, unless providing reasons why, must provide five of the basic subject areas of math, reading, grammar, science, and social studies. But, just as the Legislature does not dictate curriculum to public schools – we will not dictate to nonpublic.

- I'm not sure what all is included with "the same fate," but I would assure you if a qualified student received only ¼ of the money that would have been spent on said child in the public school – wherever this person chooses to be educated will not have the same regulatory responsibility. If we want to fund everyone equally – there would be legitimate concern that "the same fate" could befall anyone or any school. Also to note, Arizona and Florida have had dozens of choice programs for three decades without the government coming in and dictating in the manner that you fear. However, nothing stops any state from being overreaching with or without the acceptance of state money. We all must be vigilant on this front.

You also mentioned that you agree with the comment about "same failed policies of public ...going to private." Well, that's just not the case. We aren't putting those policies on the nonpublic – opponents would say just the opposite. There is a wide breadth of freedom and trust placed in the hands of the parents. Parents have the ultimate accountability by choosing where to invest their educational dollars to benefit the instruction of their child. As for funding nonpublic schools – any education paid with public dollars becomes "public education," just not the way that we know it today. We should be funding students – not systems. As for "detriment to rural schools," there's way too much data to believe this rhetoric. Arizona public schools in rural areas outperform most state, even Kansas, post an era of more education choice. It's really quite amazing. It does make sense – healthy competition creates an incentive to improve and be more accountable to the parent.

I am very proud of the efforts we made on the school front issue. I'm very proud of our Caucus and I know quite a few legislators that would have much rather voted in favor of this legislation rather than no; however, had to deal with the education establishment and lobby who are formidable opponents to what is truly needed to help kids.

I would also add that some of the bullets from the original email are humorous. An example: the "real time" account access is for the finances – how the money is spent and not for curriculum (or spy software). It relates only for financial accountability which is commonsense and necessary to prevent fraud.

For all that we disagree on, apparently most things related to education, please know your comments are still appreciated. Thank you again for sharing and please realize your viewpoint is not the only one – many of us, in the Legislature and in our communities, disagree but will do so without being disagreeable. Hearing others speak is the first step to understanding. I believe we've heard each other and now we will need to agree to disagree.

REP. KRISTEY WILLIAMS

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