

Written Testimony
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HOUSE EDUCATION COMMITTEE
In opposition to House Bill 2139
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My name is Gene Balloun. I grew up in Russell, Kansas, and graduated from high school there. I attended Kansas University for seven years, graduating with degrees in Business and Law. I have practiced law in the Kansas courts for more than 50 years.

I am very familiar with KSA 76-731a. When that law was challenged in Federal Court in 2005, I was one of the volunteer attorneys who represented students in defending the validity and constitutionality of that statute. Fortunately, we were successful in both the Federal District Court and the 10th Circuit Court of Appeals. As a result, undocumented students in Kansas have been able to achieve higher learning at no real additional cost to the State.

Experience has shown that these students who are eligible for instate tuition are talented young achievers. For most of them, English is a second language. Yet they have worked hard in school, and many graduate as top students. In attempting to continue their education, they soon realize they are not eligible for public financial aid or student loans. This is true, even though they had no part in the decision of their parents to locate in the United States. Being here, they have become part of their communities, have adjusted culturally and socially to Kansas, and soon become indistinguishable from their native born friends.

Kansas has already invested in the primary school education of these young people. This is a great investment, and will clearly make for better and more productive members of our society. Helping these students attend college will add to the dividends the State receives from a better educated society and work force.

There is no real cost to the State when students pay instate rather than out of state tuition. Having more students at the universities and colleges is a plus. Without instate tuition, many of these students could not afford to go to college. With this reduced cost, these students bring new tuition dollars to the schools that the schools would not otherwise have. And those students are more likely to stay in Kansas when they graduate, will earn higher incomes, and will pay more in sales, income and property taxes. Their improved earning power will aid the State's economy, and will help Kansas compete in our global economy. This investment in the future is similar to that made with the G. I. Bill following World War II. That better educated generation, many of whom could not have attended college without the G. I. Bill, was a tremendous boost to the growth of the nation's economy.

Kansas needs to continue to invest in higher education in order to stay competitive in our world economy. Taking advantage of the opportunity to help educate students who deserve a chance should be a part of the plan and strategy, with no real cost to the State.