



January 26, 2021

House K-12 Education Budget Committee

Written Testimony In Opposition to HB2068 (Amending the Tax Credit for Low Income Students Scholarship Program Act to Expand Student Eligibility)

Submitted by Liz Meitl, PhD, Kansas Association of Special Education Administrators

Honorable Chair Williams and Committee Members,

Our organization is focused on supporting and strengthening Special Education Administrators in Kansas so all students, especially students with disabilities, are well-served in Kansas schools. We stand in opposition to this bill, because we believe it will undermine the financial and practical well-being of public schools in our state.

Private Schools Are Not Accountable Under IDEA

Public schools, under federal law, must serve all students. We are both morally and legally bound to provide a free and appropriate education to all students, regardless of their cognitive, behavioral, or physical differences. Private schools are not required to serve all students, and they may reject or expel students based on whatever criteria suits them. This tax credit was originally intended to help only the poorest of kids in the most under-resourced schools, but it will now be open to students throughout the state and any private school can participate. None of those private schools will be required to serve students with disabilities. The money, the talented athletes, and the most compelling scholars will be drawn into the private schools, while the students with disabilities will be left in public schools with increasingly fewer resources.

Current Funding Requirements Are Not Met

About 13% of Kansas kids have a disability, and most of them cost anywhere from a little bit to a lot more to educate than their typically developing peers. In 2014 this legislature passed statute KSA 72-978, which guaranteed that schools would be reimbursed for at least 92% of the excess costs which are incurred from educating students with disabilities. This has never happened; this year the current estimate for that reimbursement is 72%. Meanwhile, in the three years since this tax credit was put in to place, \$10.7 million of tax revenue has been lost. Private schools and wealthy donors have benefited, while public schools are perpetually left with less than enough to do what is required of us. Families, educators, and students with disabilities see these disparities and we are left to wonder about the legislature's priorities.

Our organization hopes that you will consider forgoing this measure, and instead work with us to find ways to better fund special education so that all Kansas students benefit.

Sincerely,

Liz Meitl, PhD