



Frontier Peace Advisors

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February 8, 2021
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Chief FPA Lobbyist

Re: Support for HB 2119

Overall, Kansas public schools represent more than a \$7 billion annual industry, spending an average of \$14,848 per student – easily big enough to qualify for the Forbes 500 if it were a competitive private business. Except that it's neither private nor competitive. When a customer's only option for getting an alternative is to continue paying for product-A while also paying for their more desired product-B, then at these prices, few can afford it.

For those who qualify for the proposed savings program of HB 2119, however, that double-payment penalty would be greatly relieved. The members of FPA would rather see such an affordable option given to all K-12 students in Kansas, so we'll not defend the eligibility criteria of this bill, but what HB 2119 proposes would be a very good start.

Under the Kansas School Equity & Enhancement Act of 2017 (KSEEA) only the very tip of the iceberg is represented by Base Aid for Student Excellence (BASE), the foundational state funding commitment of \$4,439 per student. By the time numerous "weighting factors" are applied to enrollment numbers, plus local property taxes, plus federal aid, the aggregate expense rises to \$14,848 per student (total 476,454 students statewide).

Kansas doesn't need to assert such monopoly power in order to achieve quality education for which all our youth have an equal opportunity. Our constitution's education clauses contain the directive to provide for intellectual improvement and provide for finance of educational interests. "Provision" is not "production". There is no constitutional mandate that our K-12 education be delivered in government buildings, financed with government borrowing, taught by government employees entitled to government pensions, using government curriculum. It's only by historical tradition that, in the case of K-12, our government exerts near-monopoly control over the means of production.

The Espinoza decision of the US Supreme Court provides a safe harbor standard that applies to this proposed bill. I won't elaborate on Kansas' Blaine Amendment, despite its anti-Papist origins in this country, because the "control" of public education funds is totally unaffected by this bill. The state funds deposited into each new savings account under HB 2119 will be controlled by the respective parents of each eligible student, who are free to spend it at a variety of accredited schools, and while the money may remunerate services provided by a religious sect, they are not controlled by any religious sect.

I'll spare this committee time by deferring to plenty of other conferees regarding the quality of education delivered by qualifying private school alternatives. We could spend days debating the merits of one institution over another and there are many powerful reasons – well beyond comparing only

aggregate school test scores in a couple subjects – that parents may want their kids educated elsewhere. For any given family the motive may be bullying, gangs, drugs, classroom disruptions, sexual harassment, sex education, evolution, other curriculum objections, student/teacher personality conflicts, enforced homework or lack thereof, library censorship or lack thereof, etc. Obviously, one powerful reason highlighted by today’s bill is the preference for in-person education. Online learning is effective and comfortable for many people, but the younger the student, the stronger the pedagogical consensus that the best learning comes from face-to-face teaching interaction. There’s little wonder that many parents prefer in-person schooling. HB 2119 would result in far less denial of parental judgment.

Lastly, I’ll make my best effort to address the financial impact of HB 2119, greatly hindered by the absence of any fiscal note prepared by state staffers for this bill. In short, regardless how many students ever take advantage of this plan, the state general fund will experience significant savings.

In school year 2019-20, total state aid for K-12 (excluding federal and local funds) was \$4.85 billion, which translates to \$10,173 per student on average. Of that per-pupil state aid, \$4,436 was BASE funding (scheduled to rise to \$4,569 this year). However, while this might be the true “base” for a single student, due to the weighting factors in law, each student is counted as more than one student. Since we know that a count of 1.0 student is not really 1.5 students, the effect is to increase the BASE money by applicable “factors”. There are five such factors listed in this bill – low enrollment, high enrollment, bilingual instruction, career-tech instruction, and at-risk (low income) – for which a participating student’s public school will continue to receive funding for three years after the student transfers to private school.

These five factors, on average, serve to raise the BASE money by 36%. So, for each student who switches to enroll full time in private school, using funds that would otherwise have been appropriated to fund his/her public school, this bill would deposit \$4,436 into the student’s savings account and \$1,597 (value of the 5 weighting factors) would continue going to the public school for each of the next three years. Thus, the public school gets \$1,597 per year for a student it no longer teaches. And, state government saves the remainder of \$4,140 that it would have spent if the student had stayed in public school.

In other words, Frontier Peace estimates that the state budget will on average save over \$4,000 per year for every student who takes advantage of this new program. Plus, parents and students will be happier with their education. Consequently, the more students who take advantage of this proposal and the more who are allowed to take advantage of it, the better.

The members of Frontier Peace ask your support of this legislation. Thank you for your time and consideration.

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