

Scott Durkee of Kansas Home Educators

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HB2218: Sunflower education equity act – testimony

Position: Neutral

Date of hearing: Monday, February 6, 2023

Kansas Home Educators (KSHE) is a Christian organization serving homeschool families within the state of Kansas through education, edification, and encouragement. While KSHE is a Christian organization, it provides these resources to homeschoolers of all faiths or no faith.

KSHE provides an annual conference, newsletter, parent training workshops, and other events for homeschoolers.

KSHE partners with Home School Legal Defense Association (HSLDA) and encourages all homeschoolers to become members of HSLDA.

KSHE works with homeschool groups throughout Kansas.

KSHE works with other state homeschool organizations across the US including member organizations of the Alliance of Christian Home Education Leaders (ACHEL).

Homeschools in Kansas are included as private schools according to *K.S.A. 72-3120 Compulsory school attendance; exemptions* and as non-accredited private schools by *K.S.A. 72-4345 Non-accredited private schools; pupil records; definitions; K.S.A. 72-4336 Same; registration of name and address required; state board of education, administration and duties; and K.S.A. 72-4347 Same; purpose of registration requirement.*

KSHE is submitting a neutral testimony on *HB 2218 Establishing the Sunflower education equity act to provide education savings accounts for qualified students in Kansas*. We do not oppose the legislation creating an opt-In Education Savings Account; however, we would like to agree with HSLDA to request changes to the bill to provide further protections for those who choose not to opt-in to the program and remain non-accredited private schools. We feel the phrase "a qualified student who is schooled at home" is an issue because there is no current legal category for these students in Kansas statutes. Minor changes to this bill and the existing *K.S.A. 72-3120 Compulsory school attendance* statute would make this more clear and be consistent with other states who have successful ESA programs operating today. With these changes a separate category is created in statute for those who want to take advantage of an ESA program without potentially infringing on educational freedoms of others who do not participate in the ESA program. It also creates legal security for home-educated families by again firmly placing them under the definition of a private schools as they currently are in the Kansas statutes cited above.

1. Add to the compulsory school law K.S.A. 72-3120 (a) (4) a qualified school as defined in the sunflower education equity act [statute number].

2. Add to K.S.A. 72-3120 (i) (4) "Private school" includes competent, private instruction of a child directed by a parent or person acting as a parent.
3. Amend the definition of a qualified student in HB 2218 to say: "Qualified student" defined as a resident of Kansas who is eligible to enroll in a public elementary or secondary school in this state or in a preschool program for children with disabilities and who is enrolled in a qualified school.

With these changes, we believe families could continue educating their children at home while still meeting the requirements of the ESA but doing so under this new option 4 of the compulsory school law, not under option 2 with "privately funded home educators". Protecting the right of families to make the best decisions for their children's education is critical and important. Other states have proven that a well-designed ESA program can provide resources for families and students while current educational freedoms are still protected.

This testimony is submitted on behalf of the board of directors of Kansas Home Educators.

Thank you,

Scott Durkee

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