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Neutral Testimony for SB 338
Senate Committee on Education
Frank Harwood, Deputy Commissioner
Kansas State Department of Education

Chair Erickson and members of the Committee,

Thank you for the opportunity to provide testimony regarding Senate Bill 338 defining the term "Home School".

Although the Kansas State Department of Education (KSDE) does not take a position on the intent of SB 338, it does see the merits of clarifying the terminology used to label different types of schools. The purpose of KSDE's neutral testimony is to point out current inconsistencies with terminology, suggest possible solutions, and note some possible unintended consequences.

SB 338 seeks to amend KSA 72-6241 defining Home Schools as "nonaccredited nonpublic schools". Although the difference is subtle, the title of KSA 72-6241 uses the term "nonaccredited private school". The only time "nonpublic" is used in Chapter 72 is in the phrase "accredited nonpublic school" as part of K.S.A. 72-6241(a) which defines "accredited nonpublic schools" as nonpublic elementary and secondary schools accredited by the State Board. For consistency, KSDE suggests amending SB 338 to define Home Schools as "nonaccredited private schools". This language is more consistent with currently used terminology and will hopefully alleviate some confusion between accredited nonpublic schools and nonaccredited private schools.

KSDE would also like to bring up a possible unintended consequence of the proposed definition. SB 338 includes the phrase "directs the private instruction of the parent's or person's child". Depending on the interpretation of this term, this could limit some options that Home School parents are using. In some cases, Home School parents work together to provide educational opportunities for their students. In these cases, the student's instruction may be directed by someone other than a parent. To still allow for these systems, the legislature may consider further defining "directs the private instruction" to avoid confusion.

Thank you for the opportunity to provide input on SB 338. Although KSDE does not take a position on the bill, the requested technical changes will be important if the bill is enacted.

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