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Written Testimony – Neutral
House Committee on K-12 Education Budget
House Bill 2271
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Chairwoman Williams, members of the committee, thank you for the opportunity to submit written testimony for our neutral position on House Bill 2271.

Kansas NEA recognizes the importance of ensuring that the nonresident children can attend the school district that their parent or guardian is employed by; we argued last year that it is a critical component of being able to recruit and retain staff. We appreciate that this amendment to the open borders law also recognizes this and would allow school districts to factor that into the calculation of their capacity.

However, we present our testimony as neutral because of our continued concerns with the underlying law that was passed last year. These concerns include, but are not limited to, the following:

- **Lack of Flexibility:** The underlying open borders law leaves little room for flexibility for school districts. It takes away authority from locally elected school board members to make decisions regarding their own transfer policies and it creates an administrative burden of requiring school districts to define capacity for each grade level for each building in the school district. Further, it does not allow school districts to factor in the needs of the student applicants when establishing capacity.
- **Residential Student Growth:** The underlying open borders law neglects to account for any shifts in capacity of residential students. For example, what happens if a new neighborhood is developed within the district and the district sees an influx of residential students? Is the school then responsible for continuing to accommodate the out-of-district transfers while also accommodating the new influx of residential students? If the capacity issues result in the need for a new attendance center, only those living within the boundaries of the district will pay for it. Yet, those outside of the district will benefit from it.
- **Property Tax Increases:** The parents of non-resident students are not paying into the local effort because they don't own property in the district. They are also not paying into the capital outlay fund which supports building maintenance. They are not paying on any bond issue that was passed to build the classrooms they are now accessing. And, while they may be paying for those things in their district of residence, that money is not available to the non-residential district their children attend to pay for the education of those children. The resident district taxpayers are subsidizing the education of non-resident students whose families pay no local taxes to support the programs. How is that fair?

In short, Kansas NEA believes that local school boards should be able to decide for themselves if non-resident students can enroll in their districts, which is the current practice for the overwhelming majority of Kansas school districts. This includes the current practice of allowing nonresident children of staff to enroll in the employing school district.

Thank you for your time and consideration of our neutral position on House Bill 2271.