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March 15, 2021

K-12 Education Budget Committee
300 SW 10th St
Topeka, Kansas 66612

Re: *SB 63*

Dear Chairwoman Williams and Members of the K-12 Education Budget Committee,

My name is Scott Woodruff and I am speaking on behalf of the Home School Legal Defense Association. By way of introduction, the Home School Legal Defense Association is a national organization whose mission is to protect the fundamental constitutional right of parents to direct the education and upbringing of their children. With over 100,000 member families, including nearly 2,000 in Kansas, we are the world's largest homeschool advocacy organization.

Today, I join the Christian Home Educators Confederation of Kansas in requesting this committee amend SB 63 to remove homeschoolers from the bill. Collectively, our two organizations represent most homeschoolers in the state of Kansas. For decades, our organizations have worked to empower and enable Kansas parents to exercise their right to home school their children. One of the ways we have sought to protect this right is by ensuring that parental autonomy is respected and upheld.

While well-intentioned, this bill as it is currently written poses a threat to the current status quo of parental autonomy in Kansas. When the government funnels state money to homeschool families, even by paying for ACT exams, it establishes a precedent that could be used to increase the regulatory burden on those families. We appreciate the desire to help homeschool families save money, but the risks of establishing additional governmental control outweighs any benefits that may result from passage of this bill.

In addition to this, there are other concerns, such as how the information reported to the state will be kept private.

Under Kansas law, homeschoolers operate as nonaccredited private schools. We understand that entirely removing nonaccredited private schools from this bill might unintentionally limit non-homeschoolers access to this program. Therefore, we propose the following language for an amendment:

First, add a section to SB 63 amending KSA § 72-3120 as follows:



(h)(4) “private school” includes competent instruction a parent provides to his or her child for a period of time which is substantially equivalent to the period of time public school is maintained in the school district in which the private school is located.

Second, add the following language to the ACT provisions:

nonaccredited private secondary schools in Kansas do not include nonaccredited private schools under KSA §72-3120(h)(4).

Creating (h)(4) will create a clear category for homeschoolers in the statute that is aligned with current compulsory education law. This amendment will allow for homeschoolers to be cleanly left out of the bill.

I am happy to answer any questions about why we propose this direction.

Thank you.

Scott A. Woodruff, Esq., Senior Counsel