

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

1420 Arrowhead Road | Topeka, Kansas | 66604-4024
785-273-3600 | 800-432-2471 | 785-273-7580 FAX
www.kasb.org

Testimony before the
House Committee on Federal and State Affairs
on
HB 2192 – Repealing In-state Tuition for Certain Students
by
Mark Tallman, Associate Executive Director for Advocacy
Kansas Association of School Boards

March 20, 2013

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to speak on behalf of the Kansas Association of School Boards. KASB appears as an opponent to **HB 2192** based on the following statement adopted by our Delegate Assembly:

Tuition for Undocumented Immigrant Children

KASB supports legislation that would allow students who have attended Kansas high schools for a reasonable period of time and successfully completed a high school program and other requirements for college admission to pay resident tuition rates, regardless of whether or not these students are citizens of the United States.

KASB's position on this issue dates back to discussion of the federal DREAM Act, supported by, among others, then Senator Sam Brownback. Based on concerns about the responsibility of school districts for the education of alien children, our Delegate Assembly adopted the position stated above, which has remained in our policies since that time. The reasons our members adopted this position are both practical and ethical.

First, under U.S. Supreme Court decisions, school districts are required to provide educational services to children who reside in the district, regardless of their citizenship status. These students are tested in reading and math under the state accreditation system and the federal No Child Left Behind Act, and they count for participation and proficiency rates, as well as district drop-out and graduation rates.

Our members have embraced the goal of increasing both our high school graduation rate and improving college- and career-readiness of our students. Public schools are responsible for all students. The Hispanic population is the fastest-growing group of students in Kansas and the most likely to drop-out. KASB adopted our position on in-state tuition out of the belief that if undocumented students see no benefit to staying in school, such as preparing for college or other postsecondary training, it will be harder to keep them attending and engaged in school.

Second, punishing children for the actions of their parents seems unjust. To punish them by diminishing their educational opportunities is to inflict that punishment on future generations. Many Kansans are legitimately concerned that U.S. immigration practices undermine the "rule of law." But this bill would affect young people whose only "crime" was to follow their parents to what may be the only country they have ever known.

Furthermore, passing this bill would do nothing to enforce the “rule of law.” It would not remove these students from our state. They would still be allowed to attend Kansans colleges. It does not say, “You are here illegally so you must leave.” It simply says, “You must pay far more to continue your education here than your classmates, friends and neighbors who walked across the same high school platform and received the same Kansas diploma.”

Third, Kansas taxpayers have already spent an average of more than \$12,000 per year educating these children. Kansas needs more, not fewer, workers with higher skills. The in-state benefit is conditioned upon seeking American citizenship. For all these reasons, KASB believes it makes neither economic nor moral sense to erect higher barriers to postsecondary education for the children who would lose benefits if **HB 2192** is passed. For that reason, we urge you to reject this measure.

Thank you for your consideration.