

Thomas A. Alonzo, Kansas Resident
dotteau@gmail.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

This represents a lack of transparency and willful attempts to prevent the public from knowing what this is all about. We take particular issue with this type of legislative behavior as unethical, immoral and lacking integrity. Even though, the super-majority may be able to get away with this, we intend to make sure our membership understands how dishonest and unethical this activity is.

Ellen Alyce Merrill, Kansas Resident
ellenalyce55@gmail.com

Bill Number: HB2738

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Position: Opponent Testimony, Written-only

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Madame Chair and Members of the Committee,

Thank you for the opportunity to share my opposition to HB2738

This bill presents a whole new calculation of funding without due diligence on its impacts to our public school students. Any recommendations to change the current method of calculating special education funding should be vetted by experts and stakeholders. In fact, a Special Education Task Force was created for just this purpose, however the members were not invited to provide input on these changes.

Additionally, the public was not given ample time to review and fully understand the implications of HB2738. Conducting a transparent and accessible legislative process that provides ample opportunity for stakeholders to provide meaningful public feedback is imperative to our democratic process. However, it seems like HB2738 is being rushed through committee.

I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

February 11, 2024

Testimony to the House K-12 Education Budget Committee

NAME: Jennifer Ancell

TITLE: Former Educator and concern constituent

EMAIL ADDRESS: ancelljen@gmail.com

BILL NUMBER: HB 2738

PROPONENT, OPPONENT, or NEUTRAL: Opponent

ORAL or WRITTEN ONLY TESTIMONY: Written Only

Dear Chair & members of the committee,

I am writing to voice my opposition to bill HB 2738. While I appreciate attempts to lower the costs of education, one must be sure to call upon experts and stakeholders before making any attempt to change the current method of calculating the state's share of special education funding. Creating a new methodology without vetting could negatively impact special education in our state. These students are already at the highest risk, compounding the potential impact of this change.

As a former educator and a constituent still very concerned for our schools, I am painfully aware that the state has fallen short of funding special education for more than a decade, leading to a sizeable gap that continues to grow and impacts real students and their families. This bill provides no additional funding this year or in future years. Districts are forced to fill the gap by taking from their own general funds, which ultimately impacts *all* students.

A Special Education Task Force was created for the purpose of reviewing the current method of funding and determining if any changes are needed. Please vote no on HB 2738 and refer it to the Task Force for further review. In the meantime, please follow the phase-in plans proposed by the Governor or the State Board of Education to fully fund special education. Education is the most important investment we can make in our future. Please don't exacerbate the situation without vetting the calculation process through the Task Force.

Jennifer Ancell
Former Educator
Shawnee, KS

Dee Bell, Kansas Resident

cd2cdb@gmail.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

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Madame Chair and Members of the Committee,

Why was the Special Education Task Force not invited to provide input on these changes?

February 13, 2024

Testimony to the House K-12 Education Budget Committee

NAME: Erica Benson

TITLE: Teacher and parent

EMAIL ADDRESS: ericawbenson@gmail.com

BILL NUMBER: HB 2738

OPPONENT: Opponent **WRITTEN ONLY TESTIMONY**

Dear Chair & members of the committee,

Please oppose HB 2738. Any changes to the education budget needs to be created and vetted by education funding experts and the special education funding formula is especially complicated and important. Critical investments in equitable access to the learning opportunities students need to succeed should be a priority to the House K-12 Education Budget Committee. Teachers cannot serve the students of their classrooms that have IEPs and 504s without the necessary funding and services; as a result, you will see more teachers leave the profession and the state will experience a critical teacher shortage.

Now is the time to fully fund special education using one of the plans provided to you by the Governor and the State Board of Education. All Kansas kids are hurt by the current \$173 million shortfall, as districts must transfer general funds to cover the shortfall in special education funds.

For the sake of my students and my children and their peers, I ask that you vote no on HB 2738.

Erica Benson

Overland Park, KS

February 13, 2024

Testimony to the House K-12 Education Budget Committee

Kristen Blackton
Kansas Citizen and Former Educator
krosekauf@gmail.com
Bill HB 2738
Opponent
Written-Only Testimony

Dear Chair and Committee Members,

I write today to voice my opposition to bill HB 2738. For over ten years, I worked as teacher in the Kansas City area. During my time in the classroom, my students represented a myriad of abilities, and many required special education services in order to learn and thrive in our school environment. The services they received were instrumental in helping them reach their potential as well as creating a cohesive classroom with students of all abilities working and learning together. When I look back on my time as a teacher, I can see how invaluable the special education staff and their knowledge were when I was crafting my lessons and creating a classroom culture.

Though I am no longer a classroom teacher, I am now a mother to a young daughter who will soon begin school in one of our Kansas public school districts. While she may or may not need special education services in the future, I do know that she will have friends and classmates who will need and benefit from these services, and I want all of her future classmates to have the resources they need to be successful.

As I'm sure you know, the state has yet to meet its obligation to fund 92% of excess special education costs. The State Board of Education and the Kansas Department of Education recognize that special education in our state hasn't been fully funded since 2011. This has led to a shortfall of over \$100 million. HB 2738 does not provide additional funding for this year, which is a dangerous outcome for all of our Kansas students. When special education is not funded, the district must often transfer money from their general funds to cover the shortage. This affects the resources and services that are available for the whole of the student body.

I strongly believe that any change in calculation of special education funding should involve a lot of input from experts and stakeholders, including those within leadership positions in our school districts. This issue is of utmost importance since it directly affects our children, the next generation! To me, this means that it requires a careful study and thorough consideration of the impacts of any changes in funding mechanics. It is my understanding that the Special Education Task Force was created for the purpose of reviewing the current method of funding and determining if changes are needed. That is why I urge you to vote no on HB 2738 and refer to the Special Education Task Force for review. Our schools will not be fully funded until special education is fully funded.

Respectfully,

Kristen Blackton
Shawnee, Kansas

Gregory Brown, Kansas Resident
gebrown8@aim.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

Please slow down on your review of HB2738. There should be ample time for all stakeholders to offer their opinions and expertise. What's the rush? You created a Special Ed Taskforce—why not take advantage of it? This is an important issue with broad implications. Please treat it as such.

February 13, 2024

Testimony to the House K-12 Education Budget Committee

NAME: David Brumbley

TITLE: Kansas Citizen

EMAIL ADDRESS: davidbrumbley@gmail.com

BILL NUMBER: HB 2738

PROPONENT, OPPONENT, or NEUTRAL: Opponent

ORAL or WRITTEN ONLY TESTIMONY: Written Only

Dear Chair & members of the committee,

I am writing to voice my opposition to bill HB 2738.

I am a parent of a child currently receiving special education services in the Olathe school district. We have been working with the staff in his classroom and the administration responsible for their oversight to ensure that his classroom is fully staffed with professionals capable of seeing to his needs and those of the other students in the class. Those conversations always, always come back to the issue of program funding availability or the lack thereof. This bill is not the solution to that problem.

Any attempts at changing the current method of calculating the state's share of special education funding should be vetted by experts and stakeholders. This bill creates a completely new way of calculating funding without careful review or thoughtful consideration of its impacts.

It is time for the state to meet its obligation to fund 92% of excess special education costs. School districts, the State Board of Education, and the Kansas Department of Education all recognize that special education hasn't been fully funded since 2011. The shortfall has grown to an estimated \$173 million.

This bill provides no additional funding this year or in future years. Failure to provide adequate funding hurts all of our kids in public schools as districts must transfer money from their general education funds to cover the shortfall.

A Special Education Task Force was created for the purpose of reviewing the current method of funding and determining if any changes are needed. Please vote no on HB 2738 and refer it to the Task Force for further review.

In the meantime, please follow the phase-in plans proposed by the Governor or the State Board of Education to fully fund special education. Our schools will not be fully funded until special education is fully funded.

Dave Brumbley
Olathe, KS

February 12, 2024

Testimony to the House K-12 Education Budget Committee

NAME: Jan Brunks

EMAIL ADDRESS: jmbrunks@gmail.com

BILL NUMBER: HB 2738

PROPONENT, OPPONENT, or NEUTRAL: Opponent

ORAL or WRITTEN ONLY TESTIMONY: Written

Dear Chair & Members of the Committee:

I am writing to voice my opposition to bill HB 2738.

Any attempts at changing the current method of calculating the state's share of special education funding should be vetted by experts and stakeholders. This bill creates a completely new way of calculating funding without careful review or thoughtful consideration of its impacts.

It is time for the state to meet its obligation to fund 92% of excess special education costs. School districts, the State Board of Education, and the Kansas Department of Education all recognize that special education hasn't been fully funded since 2011. The shortfall has grown to an estimated \$173 million.

This bill provides no additional funding this year or in future years. Failure to provide adequate funding hurts all of our kids in public schools as districts must transfer money from their general education funds to cover the shortfall.

A Special Education Task Force was created for the purpose of reviewing the current method of funding and determining if any changes are needed. Please vote no on HB 2738 and refer it to the Task Force for further review.

I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

Jan Brunks
Olathe, KS

February 13, 2024

Testimony to the House K-12 Education Budget Committee

Name: Kellie Bubeck

Email: kellie.bubeck@gmail.com

Bill No: HB 2738

Opponent

Written testimony only

Dear Chair and Committee Members:

I strongly oppose HB 2738, which is another thinly-veiled attempt to avoid fully funding special education (SPED).

As a parent of a current public school student, and a past recipient of SPED services in the Olathe School District, it is imperative that you fully fund special education as required by law.

Any attempts at altering the current method of calculating the State's share of SPED funding should be vetted by experts and stakeholders. This bill creates a completely new way of calculating funding without careful review or thoughtful consideration of its impacts.

The State must meet its obligation to fund 92 percent of excess SPED costs. School districts, the State Board of Education, and the Kansas Department of Education all recognize that special education has not been fully funded since 2011. The shortfall has grown to an estimated \$173 million.

HB 2738 provides no additional funding this year or in the future. This continued failure to adequately fund SPED hurts not just students that receive special education services, but all children in public schools. School districts are forced to transfer money and resources from general education funds to cover the shortfall.

A Special Education Task Force was created for the purpose of reviewing the current method of funding and determining if any changes are needed. Please vote no on HB 2738 and refer it to the Task Force for further review.

Additionally, please follow the phase-in plans proposed Governor Kelly or the State Board of Education to fully fund special education. Public schools are not truly fully funded until SPED is also fully funded.

Sincerely,

Kellie Bubeck

[Kellie.bubeck@gmail.com](mailto:kellie.bubeck@gmail.com)

Cc: Rui Xu

rui.xu@house.ks.gov

Ethan Corson

ethan.corson@senate.ks.gov



USD 507 Satanta

100 Caddo PO Box 69 Satanta, Kansas 67870
Phone: (620) 649-2611 Fax: (620) 649-2627

Dear Representative Williams and the K-12 Education Budget Committee,

Thank you for taking the time to consider my written testimony in opposition to HB2738. With this bill, the legislature is simply playing a shell game rather than meeting their statutory requirement of funding 92% of the excess costs for special education services. This bill does not provide any additional funding for special education but rather decreases it.

According to the KSDE projections, USD 507 Satanta would stand to lose \$25,000 in funding if this bill were enacted, and we are a fairly lucky district. This may not seem like a significant amount of funding, but for a 1A district, \$25,000 could mean cutting a support position, such as a paraprofessional who offers support to our most at-risk students. Last school year, two USD 507 teachers retired. Because of the amount of money we were already transferring from our general fund to special education, we were unable to hire replacements for these teachers and instead had to absorb them through larger classes and fewer class offerings for students. Our grade school music and high school choir teacher is retiring this year. As we consider how to fill this position, \$25,000 could mean the difference between offering music classes to all of our students or only some.

Special education funding has real implications for school districts—both for special education students and general education students as well. Rather than playing numbers games, the legislature should allow the special education funding task force to do its job. Please fully fund special education.

Karen Burrows
USD 507 Superintendent

Every student, every day, whatever it takes.

Alice Capson, Kansas Resident
capsonks@aol.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

Thank you for the opportunity to share my opposition to HB2738

As a retired teacher, I understand the importance of adequate funding for special education which the legislature hasn't supplied. As a state, we need to provide a good education for all our students. I have seen how students have succeeded with supports from the special ed personnel. Cooperation between "regular" classroom teachers and special ed teachers also leads to benefits for all students.

This bill presents a whole new calculation of funding without due diligence on its impacts to our public school students. Any recommendations to change the current method of calculating special education funding should be vetted by experts and stakeholders. In fact, a Special Education Task Force was created for just this purpose, however the members were not invited to provide input on these changes.

Additionally, the public was not given ample time to review and fully understand the implications of HB2738. Conducting a transparent and accessible legislative process that provides ample opportunity for stakeholders to provide meaningful public feedback is imperative to our democratic process. However, it seems like HB2738 is being rushed through committee.

I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

Dan Carpenter, Kansas Resident

dcarpenter@gemtechkc.com

Bill Number: HB2738

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February 13, 2024

Written Testimony: HB2738

Submitted by: Kansas Association of Special Education Administrators (KASEA)

Chairperson Williams and K-12 Education Budget Committee Members,

The Kansas Association of Special Education Administrators (KASEA) appreciates your time to consider our concerns on HB2738 as outlined in this written testimony. HB2738 would revise the state special education state aid distribution of funds as well as freeze the amount allocated by the Legislature each year to the amount allocated in FY24. Any additional costs for implementation of providing services to students with either disabilities and/or giftedness as mandated by federal or state statutes would be the responsibility of the local school districts.

This bill would decrease the level of state special education funding a district is eligible to receive to cover the costs associated with the delivery of services required under federal and state statutes. In addition, these revisions do not account for the Kansas statutes that include giftedness under the umbrella of the Individuals with Disabilities Education Act (IDEA) or the basic principle of providing students with disabilities a Free Appropriate Public Education (FAPE). For these reasons, KASEA opposes HB2738. The following outlines concerns with this bill.

HB2738 was Hastily Crafted and Revisions are Based on Misunderstanding

- Current Kansas statute uses a calculation of 92% of excess costs for providing special education services at the state level to determine the annual state appropriation. The calculation does not translate to individual districts that may be higher or lower than the state average based on demographic information unrelated to the actual cost of delivering services.
- Applying a formula similar to the state level excess costs calculation used for making state appropriations to how funds are then later distributed is problematic and generates erroneous data.
- No information has been provided regarding the impact of HB2738 on current special education funding or how this bill will affect services to children with disabilities and/or giftedness.
- HB2738 does not provide for future increases to state special education funding even though the number of Kansas children with exceptionalities and the cost to provide these specialized services continues to increase every year. In addition, HB2738 further



proposes to “cap” the amount a district can receive at 92% using an unvetted excess cost calculation that is inherently flawed.

- By counting the general education funding that local school districts currently transfer to special education as state provided "special education aid", the proposed formula is clearly calculated to simulate compliance with the legislative requirement to fund special education at 92% of excess costs rather than complying with the law.

Include Experts in Making Changes to Special Education Funding

- There is no evidence that finance experts knowledgeable of Kansas special education funding provided guidance and/or recommendations for drafting HB2738.
- The Special Education Funding Task Force was the best avenue for the Legislature to make informed and conscientious funding decisions over time. Instead of abolishing the Special Education and Related Service Funding Task Force, KASEA recommends it remain intact and continue the work it was assigned to do per statute.
- How will such changes in the state funding formula impact a district’s ability to meet the federal Maintenance of Effort (MOE) requirements of IDEA? The stakes are high and the full impact will not be known until two years of financial data is available to compare. It is important that district level MOE be considered before making any changes to the current funding formula.

The Current System of Funding Special Education in Kansas is Not Broken

- HB2738 undermines the spirit of IDEA as it shifts all accountability for these increased costs to the districts. It is the children of Kansas that will be left behind if HB2738 is enacted.
- Over 40 years of audits conducted by the Legislative Post Audit indicate the manner in which special education funding is appropriated, distributed and expended is working. The system is NOT broken.

Fund Education and Special Education According to the Current State Statute

- Funding is available at the state level to meet the current special education statute to fully fund special education at 92% of the state level excess costs. (K.S.A 72-3422)
- The Governor has recommended a five-year plan to attain compliance with the statute beginning in FY25. We ask that the Governor’s recommendation be considered as part of a plan to obtain compliance with the law.
- For many districts, the additional funding transferred into special education to cover expenses beyond state and federal aid is MORE than what is generated by the Local Option Budget (LOB) special education weighted enrollment. Moving money around instead of providing appropriate funding offers no benefit to the current system.



KASEA believes that making changes to the current Kansas funding formula is best accomplished over time with collaboration among all stakeholders and legislators. What may appear to be a slight tweak may actually break the system rather than improve it. We would ask the legislature to reject this bill until the impact of the proposed changes can be evaluated. The Special Education and Related Services Funding Task Force is the best way to ensure any revisions made are in the best interest of the children and families we serve.

We appreciate your time and attention to ensure our Kansas special education program continues to be recognized as one of the best in the nation.

Sincerely,

Patty Carter, KASEA Legislative Committee Chair

Director of Special Education, Greenbush

P: 785-862-7840 ex 412 / M: 785-248-1184 / patty.carter@greenbush.org

6822 SE Ross Street Topeka, KS 66619

Dr. Lena Kisner, KASEA President

Executive Director, Reno County Education Cooperative Interlocal 610

P: (620) 663-7178 / lkisner@rcec610.org

2500 E 30th Ave, Hutchinson, KS 67502

February 13, 2024

Testimony to the House K-12 Education Budget Committee

NAME: Lesa Childers

TITLE: Kansas Citizen

EMAIL ADDRESS: lesa.childers@outlook.com

BILL NUMBER: HB 2738

PROPONENT, OPPONENT, or NEUTRAL: Opponent

ORAL or WRITTEN ONLY TESTIMONY: Written

Dear Chair & members of the committee,

I am a mother of a thirteen-year-old currently receiving special education services in the Shawnee Mission School District. I am firmly opposed to HB 2738.

My daughter's special education program has allowed her to beat the odds and become a fluent reader, despite her intellectual disability. But she continues to need specialized, individualized support as she masters spelling. She wants to write her own emails and send messages to friends. She needs that and many other essential skills to thrive in her community. She and others like her need you to stand up for them. They need you to make sure that her teachers and paras are paid well enough to attract high quality candidates. They need you to make sure her district doesn't have to drain the general fund to pay for special education services, which means they face larger general education classes and teachers experiencing a lot of stress.

The most vulnerable kids in our state are depending on you to let the Special Education task force do the job it was appointed to do. Let them advise on how much funding is truly needed to help our vulnerable kids be their best selves.

Consider why you were elected. One of the things you were elected to do is to ensure that tax dollars go where they are needed. The state has a budget surplus. You know that the state can afford to fully educate our kids with special needs.

Any attempts at changing the current method of calculating the state's share of special education funding should be vetted by experts and stakeholders. This bill creates a completely new way of calculating funding without careful review or thoughtful consideration of its impacts.

It is time for the state to meet its obligation to fund 92% of excess special education costs. School districts, the State Board of Education, and the Kansas Department of Education all recognize that special education hasn't been fully funded since 2011. The shortfall has grown to an estimated \$173 million.

Please vote no on HB 2738 and refer it to the Task Force for further review.

In the meantime, please follow the phase-in plans proposed by the Governor or the State Board of Education to fully fund special education. Our schools will not be fully funded until special education is fully funded.

Lesa Childers, Kansas resident, Merriam

Douglas Conlan, Kansas Resident

d.m.conlan@att.net

Bill Number: HB2738

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Position: Opponent Testimony, Written-only

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Madame Chair and Members of the Committee,

Thank you for the opportunity to share my opposition to HB2738

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Additionally, the public was not given ample time to review and fully understand the implications of HB2738. Conducting a transparent and accessible legislative process that provides ample opportunity for stakeholders to provide meaningful public feedback is imperative to our democratic process. However, it seems like HB2738 is being rushed through committee. I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

Karen Craig, Kansas Resident
KARENCRAIGRN@YAHOO.COM

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Colleen Cunningham, Kansas Resident

colleen@demod.com

Bill Number: HB2738

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Additionally, the public was not given ample time to review and fully understand the implications of HB2738. Conducting a transparent and accessible legislative process that provides ample opportunity for stakeholders to provide meaningful public feedback is imperative to our democratic process. However, it seems like HB2738 is being rushed through committee. I imagine that when bills are beneficial to Kansans and expected to be popular, they are not rushed through the legislative process.

I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

Joan Daniels, Kansas Resident

rajodani@yahoo.com

Bill Number: HB2738

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I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

Ray Daniels, Kansas Resident

rayd582@gmail.com

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I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

Jean Daugherty, Kansas Resident

boejd@yahoo.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

I am writing in opposition to HB2738

As a special educator for over 30 years, I know first hand the impact that funding has on this population. It is disturbing to me that there appears to be a lack of transparency in considering changes to the current method for calculating funding. First of all, it is my understanding that stakeholders and experts were not invited to provide input. Secondly, why was the Special Education Task Force, who seem to me to be the most relevant group to provide input, left out of the process? The timing appears to rush this out of committee and seems misguided when so much is at stake for a vulnerable population of students. The public deserve the opportunity to understand what is at stake with these changes and to provide feedback.

I respectfully urge you to oppose HB2738 and instead refer it to the special task force for review and recommendation.

Special Education needs more funding, not less.

As we understand it, this bill would actually decrease special education funding at a time when districts are already transferring large amounts of general education dollars to fund special education costs. We note that the increasing amount of funding requested isn't greed-it's an effort to provide the resources necessary to educate the children of Kansas. Underfunding special education limits the level of special education services and negatively impacts staff and services for the general education classroom.

LOB funding is for extras and not for essential special education services, and to the extent it is used for special education, it should be counted as local funding and not state funding. LOB funding was designed to allow districts to pay for extras not provided under the state formula. It was never meant to be mandated for use as SPED funding, let alone be counted as the state's share. LOB funding (except to the extent equalized by the state) is **local** funding, not state funding. Additionally, under statute, local districts are already responsible for 8% of excess costs. If we are to force spending LOB funds on SPED, they must count towards the local share, not the state share. This novel theory of tying the LOB funds derived from SPED wasn't part of the context when the legislature set the statutory requirement at 92% of excess costs, and it's inappropriate to say we're still using the 92% but now we're counting additional categories of money to reach it. If we count the money differently, we should raise the 92% to a higher number.

Thank you for your consideration of these and other issues relating to HB 2738. We urge you to oppose this flawed bill.

Written Testimony on HB 2738
submitted to the
Committee on K-12 Education Budget
by
Jim Edwards – Lobbyist Representing
Topeka Public Schools – USD 501
February 13, 2024

We appreciate the opportunity to provide this written testimony in opposition to HB 2738, which will drastically impact the funding of special education, and how the excess costs are raised locally through property taxes.

Kansas public schools are mandated to provide special education services to qualifying students. Local school districts, such as Topeka Public Schools – USD 501 have, and will continue to educate special needs students because it is the right thing to do. We believe that it is time for the Kansas Legislature to become a true partner in these efforts rather than changing a formula to have it **appear** that the state is actual surpassing its goal of funding 92% of excess costs. I say appear because there would be no additional state expenditures over current levels, simply a modification of the formula.

While we have included this information to various Committees and local legislators in the past, it is worth repeating.

Following is a synopsis of special education expenditures for the Topeka Public Schools to provide those mandated special education services in the 2022-2023 school year.

Total expenditures	\$42,340,712
Amount of total expenditures used for salaries	\$38,550,660
Amount of total expenditures coming from General Fund	\$24,984,871
Amount of total expenditures coming from Local Option Budget (LOB)	\$12,112,164
General Fund expenditures coming from State Categorical Aid	\$17,286,226
Additional General Fund Expenditures to make up the difference	\$7,698,000
Total transfers of the LOB and General Fund (above Categorical Aid received) to Special Education are	\$19,810,164

The district receives Federal VI-B funds of approximately \$3,837,000 annually and additional money through Medicaid reimbursement.

(Over Please)

I provide these numbers to emphasize the point that Topeka Public Schools – USD 501 is spending almost \$20,000,000 in excess costs to meet the mandates for educating students with special needs. The changes that would be brought about by HB 2738 would undoubtedly require additional property tax increases just to meet those mandates.

The education of these students with special needs, not only in Topeka Public Schools – USD 501 but across the state, need true participation by the Legislature, not just a change in the formula.

We thank you for your consideration.

Opposition of HB 2738

Deborah Eplee USD 409 School Board member

deborah.eplee@gmail.com

Date of hearing: 2/13/24 at 3:30

I urge the K-12 Budget Committee to fully fund Special Education as stated in current law. The bill changes state law to “count” non-Sped funding as Special Ed funding. The result is no new SPED funding this year or ever. Any new Sped costs would be the responsibility of individual districts. Historic underfunding of special education and unanswered questions in HB 2738 threaten the success of all USD 409 Students as well as 2 private school systems to whom we provide special education services. No information has been provided how HB 2738 will impact our current education funding. Most importantly, how does this bill affect services to children with disabilities and/or giftedness?

Our mission at Atchison Public Schools is to *identify and remove all barriers to promote equal opportunities for success by all students*. Students and their families in our community come to us with different barriers, yet they all have a right to an equal opportunity for success. Federal and state law require that public schools provide the education and services necessary for that equal opportunity-**services beyond the scope of general education.**

25% of our students receive special education which is above the state average. **One in every three** students who enroll in our district has an IEP and parents regularly report moving to Atchison because of quality of our special education services. Currently, **65 students** who attend private schools within the school district boundaries receive special education services. **49** students are identified as Gifted, receiving services in Special Education.

By counting the general education funding that local school boards must currently transfer to special education as state provided “special education aid”, the proposed formula seems more calculated to guarantee paper compliance to the 92% funding of excess cost, rather than actually funding the true excess cost of providing special education services.

What is “excess cost” in USD 409?

Atchison Public Schools spent **\$3.85 million** on special education services in 2022-2023, receiving **\$2.44 million** in state and federal funds and transferring **\$1.4 million** from the general fund to cover the difference of the cost of required services. This diminishes our ability to provide competitive salaries and successful teacher recruitment. One contracted virtual School Psychologist costs the district **\$96 per hour**-more than the cost of the two onsite School Psychologists.

Beyond the dollar amount, “excess cost” of special education looks like:

A child who relies on an eye gaze device to communicate because of her medical condition.

A student with Autism who requires services from a Board Certified Behavioral Analyst and two registered behavioral technicians - all contracted from outside agencies.

A child with a disability mastering the majority of letter sounds and decreasing behavior incidents from 16 per day to twice per week.

No family hopes or dreams that their child is born with a disability. They do hope and dream that their child is successful. Fully funding special education allows **ALL** students to have an opportunity for success.

Christine Evans Hands, Merriam City Council President

chris.evans.hands@gmail.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

Thank you for the opportunity to share my opposition to HB2738

This bill presents a whole new calculation of funding without due diligence on its impacts to our public school students. Any recommendations to change the current method of calculating special education funding should be vetted by experts and stakeholders. In fact, a Special Education Task Force was created for just this purpose, however the members were not invited to provide input on these changes.

Additionally, the public was not given ample time to review and fully understand the implications of HB2738. Conducting a transparent and accessible legislative process that provides ample opportunity for stakeholders to provide meaningful public feedback is imperative to our democratic process. However, it seems like HB2738 is being rushed through committee.

I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

Susan FIS her, Kansas Resident

sjf501@msn.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

Quality public education with equal access is one of the important and critical opportunities in the US. Currently it is being eroded through various legislative ploys by conservatives who seem to be almost frightened by the concept of a well educated population. Please oppose HB 2738 and work instead to enhance funding for public education, I.e. teacher salaries, factual text books, adequate supplies, etc. for ALL students, including those who require/ benefit from special ed programs.

Corrinne Geisler, Kansas Resident

corrinne@kw.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

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I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

February 13, 2024

Testimony to the House K-12 Education Budget Committee

NAME: Danielle Giarla

TITLE: Kansas Citizen

EMAIL ADDRESS: drod386@gmail.com

BILL NUMBER: HB 2738

PROPONENT, OPPONENT, or NEUTRAL: Opponent

ORAL or WRITTEN ONLY TESTIMONY: Written Only

Dear Chair & members of the committee,

I am writing to voice my opposition to bill HB 2738.

We need to put a focus on our future generations by investing in our education infrastructure. This bill creates a completely new way of calculating funding without careful review or thoughtful consideration of its impacts.

It is time for the state to meet its obligation to fund 92% of excess special education costs. School districts, the State Board of Education, and the Kansas Department of Education all recognize that special education hasn't been fully funded since 2011. The shortfall has grown to an estimated \$173 million.

This bill provides no additional funding this year or in future years. Failure to provide adequate funding hurts all of our kids in public schools as districts must transfer money from their general education funds to cover the shortfall.

A Special Education Task Force was created for the purpose of reviewing the current method of funding and determining if any changes are needed. Please vote no on HB 2738 and refer it to the Task Force for further review.

In the meantime, please follow the phase-in plans proposed by the Governor or the State Board of Education to fully fund special education. Our schools will not be fully funded until special education is fully funded.



Danielle Giarla
Kansas Citizen
Lenexa

Alton Hagen, Kansas Resident

ahagen@agendausa.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

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Additionally, the public was not given ample time to review and fully understand the implications of HB2738. Conducting a transparent and accessible legislative process that provides ample opportunity for stakeholders to provide meaningful public feedback is imperative to our democratic process. However, it seems like HB2738 is being rushed through committee.

I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

Steve Hall, Kansas Resident

steveh13@mac.com

Bill Number: HB2738

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Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

Thank you for the opportunity to share my opposition to HB2738

What's the hurry? I've received education in Kansa from kindergarten through some college. Up until recently I've been proud of Kansas education. This feels to me like another step to prevent fair education for all Kansans.

This bill presents a whole new calculation of funding without due diligence on its impacts to our public school students. Any recommendations to change the current method of calculating special education funding should be vetted by experts and stakeholders. In fact, a Special Education Task Force was created for just this purpose, however the members were not invited to provide input on these changes.

Additionally, the public was not given ample time to review and fully understand the implications of HB2738. Conducting a transparent and accessible legislative process that provides ample opportunity for stakeholders to provide meaningful public feedback is imperative to our democratic process. However, it seems like HB2738 is being rushed through committee.

I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

Marilyn Hammond, Kansas Resident

mhammond@kc.rr.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

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Madame Chair and Members of the Committee,

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This bill presents a whole new calculation of funding without due diligence on its impacts to our public school students. Any recommendations to change the current method of calculating special education funding should be vetted by experts and stakeholders. In fact, a Special Education Task Force was created for just this purpose, however the members were not invited to provide input on these changes.

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I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

KARL HANSON, Kansas Resident

hkarlhanson@cs.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

Act as detailed above please, Education is the future life blood of our state.

Written testimony before
House Committee on K-12 Education Budget

On

HB 2738

By Marcel Harmon,
parent and former school board member
Lawrence, KS (USD 497)
marcelharmon@gmail.com
February 10, 2023

Chair Representative Williams,

As a parent of students who directly benefited from special education services and a former school board member who saw the positive impacts of special education services within the district, and the challenges of meeting those needs without these services being fully funded, I urge that this bill not be passed out of committee.

As written, this bill double and even triple allocates money in an attempt to claim special education is being fully funded without actually doing so. In addition, if it were to pass, districts experiencing an increase in students with special education needs wouldn't see additional funds generated under the proposed formula. It would be up to school districts to figure out how they would meet this increasing need without increased funding.

This bill is essentially an attempt to bypass the legislature's own law establishing a special education task force to carefully study this issue and suggest some ways to adjust the special education funding formula (if needed and in a manner that actually benefits Kansas students). But this task force has only met once for just 3 hours. There has yet to be any thoughtful study of the formula. It's an end run around the law to promote a false narrative that the legislature is fully funding special education when it isn't doing so.

I know that significant evidence has been presented in the past regarding the benefits of special education services along with the negatives of underfunding it. But here are a few more.

- [The Classroom Impact of Trained Special Needs Education Teachers in Selected Schools: An Evaluation Study](#)
- [Sample records for effective special education](#)
- [Importance of special education](#)

Fully funding special education benefits all kids within a district if for no other reason than dollars aren't taken away from other general fund services to partially shore up special education services. And with districts still recovering from the pandemic, it's even more critical that our public school districts be fully funded. Here's but one example of how underfunding impacts school districts, kids and families, and their communities - <https://marcelharmon67.substack.com/p/lawrences-school-district-budget>.

I've also spent my entire adult life working in the private sector. Strong public schools are critical for attracting and keeping employees. They're also critical for maintaining / replenishing a high-quality workforce in our state over the long term. You can't have strong public schools without fully funding them. Underfunding special education hurts our kids, hurts our communities, hurts our businesses, and ultimately our state's economy.

I respectfully ask that you discard this bill, let the task force do its job, and in the meantime, fully fund special education per state law (at the statewide average of 92% of the excess costs for special education not funded by the Federal Government).



Renwick Public Schools – USD 267 – 600 W Rush – Andale, KS 67001
Tim Hayden – Superintendent

February 12, 2024

Chairman, esteemed members of the committee,

I am writing to express the Renwick School District's grave concern regarding House Bill HB2738 and its potential impact on the provision of special education services within our district and across the state of Kansas. The Governor's recommended five-year plan to attain compliance with the special education state statute is commendable, but the proposed HB2738 threatens to undermine the very spirit of the Individuals with Disabilities Education Act (IDEA) and jeopardize the welfare of our most vulnerable students.

At present, the Renwick School District, like many others, relies on a combination of state and federal aid, as well as local funding, to adequately support our special education programs. However, HB2738 shifts the burden of accountability for increased costs solely onto the districts, effectively leaving our children behind in terms of their educational needs.

Despite over 40 years of audits conducted by the Legislative Post Audit indicating that the current system of special education funding is functional and effective, HB2738 offers no concrete information on how it will impact existing funding mechanisms. This lack of clarity is deeply concerning, particularly when considering the potential repercussions on services provided to children with disabilities and giftedness.

Preliminary calculations suggest that HB2738 will have a significantly negative impact, as it fails to account for future increases in the number of Kansas children with exceptionalities and the corresponding costs of providing specialized services. By merely counting general education funding transferred by local school boards as state-provided "special education aid," the proposed formula appears more concerned with achieving paper compliance than adequately funding the true excess costs of special education.

Ultimately, HB2738 poses a direct threat to the continued growth and development of our most at-risk students, both within our district and statewide. It is imperative that this committee carefully considers the potential consequences of enacting such legislation and prioritizes the well-being and educational rights of all Kansas children.

Thank you for your attention to this critical matter.

Sincerely,

Tim Hayden
Superintendent,
Renwick Public Schools

February 13, 2024

Testimony to the House K-12 Education Budget Committee

NAME: Amy Hill

TITLE: Kansas Citizen

EMAIL ADDRESS: amykfrost@yahoo.com

BILL NUMBER: HB 2738

PROPONENT, OPPONENT, or NEUTRAL: Opponent

ORAL or WRITTEN ONLY TESTIMONY: Written Only Testimony

Dear Chair & members of the committee,

I am writing to voice my opposition to bill HB 2738.

I have three children in the Blue Valley School District – one in middle school who is part of the gifted program, and two in high school who are not part of the gifted program. The legislature's failure to fully fund special education takes resources away from all three of my children. My child who participates in the gifted program deserves a fully funded program to support the programs his teachers create to continue to challenge him and keep him engaged in his education. And my other two children deserve the full allotment of resources that should be allocated to them for their education and funds should not have to be diverted away from them to fund special education.

It is incredibly frustrating to me to watch our state representatives continue to ignore the requests to fully fund special education and focus on initiatives that do not benefit anyone.

As for this latest attempt - there has not been any analysis done to support this newest proposal. Any attempts at changing the current method of calculating the state's share of special education funding should be vetted by experts and stakeholders. This bill creates a completely new way of calculating funding without careful review or thoughtful consideration of its impacts.

It is time for the state to meet its obligation to fund 92% of excess special education costs. School districts, the State Board of Education, and the Kansas Department of Education all recognize that special education hasn't been fully funded since 2011. The shortfall has grown to an estimated \$173 million.

This bill provides no additional funding this year or in future years. Failure to provide adequate funding hurts all of our kids in public schools as districts must transfer money from their general education funds to cover the shortfall.

A Special Education Task Force was created for the purpose of reviewing the current method of funding and determining if any changes are needed. Please vote no on HB 2738 and refer it to the Task Force for further review.

In the meantime, please follow the phase-in plans proposed by the Governor or the State Board of Education to fully fund special education. Our schools will not be fully funded until special education is fully funded.

Amy Hill
Olathe, KS

Joan Jacobson, Retired Kansas educator

sojacobs@aol.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

As a retired educator, I can attest to the importance of full Special Education funding. Every student with special education needs deserves the same ability to succeed as those who do not experience educational challenges. An even playing field allows special education students to reach their full potential, which is equal to those who do not experience those challenges. Without the aid of special education, these students may become discouraged and leave school early. They deserve every opportunity to overcome their disability with the aid of staff and resources designed specifically for them.

NAME: Dr. Sara Jahnke
TITLE: Senior Scientist
EMAIL ADDRESS: sarajahnke71@gmail.com
BILL NUMBER: HB 2738
PROPONENT, OPPONENT, or NEUTRAL: Opponent
ORAL or WRITTEN ONLY TESTIMONY: Written

Dear Chair & members of the committee,
I am writing to voice my opposition to bill HB 2738.

As a mom of a child with special needs, I have become very familiar with both the need for additional supports in our schools and the detrimental effect of not fully funding special education. I have also spent a significant amount of time reviewing the funding formula and the reasons for disparate rates state-wide. I first encourage everyone to review the variables included and excluded from the formula as they are reasonable expenses if not somewhat limited.

I am disgusted by the games being played in Topeka – from a call for a task force to a refusal to call the task force once formed. At a point where the state has an excess of funds, I can think of no better way to spend it than on our children.

Any attempts at changing the current method of calculating the state's share of special education funding should be vetted by experts and stakeholders. This bill creates a completely new way of calculating funding without careful review or thoughtful consideration of its impacts.

It is time for the state to meet its obligation to fund 92% of excess special education costs. School districts, the State Board of Education, and the Kansas Department of Education all recognize that special education hasn't been fully funded since 2011. The shortfall has grown to an estimated \$173 million.

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In the meantime, please follow the phase-in plans proposed by the Governor or the State Board of Education to fully fund special education. Our schools will not be fully funded until special education is fully funded.

Dr. Sara Jahnke
Senior Scientist
NDRI-USA, Inc.

Prairie Village, KS

Karen I. Johnson, Kansas Resident

iwillseeyathere@gmail.com

Bill Number: HB2738

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I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

HB2738 Testimony in Opposition, Written Only:

Kelly Jones, LMSW
USD497 Board of Education President
Lawrence, KS
2/13/2024

Dear Madam Chair Williams and Members of the Committee on K-12 Education Budget:

Thank you for the opportunity to address the Committee. I am the Board of Education President for Lawrence Public Schools USD 497, elected at large, serving my second term. The USD 497 Board of Education extends our gratitude for your service to Kansas, particularly the State's children and educators.

I am pleased to share with you that under Superintendent Anthony Lewis's leadership, the USD 497 graduation rate increased by 5.4% over the past year compared to a statewide average increase of 1%. It is our highest graduation rate in 16 years—89.6%. Also of note, as of 2022—we operate the State's first public Montessori elementary school. Our Liberty Memorial Central Middle School Redesign Committee is developing a STEAM-based middle school curriculum, which I predict will inspire learning and attract families to the district. Through our nationally recognized College and Career Academy, USD 497 students are acquiring CNA licenses, developing culinary skills, and earning lab hours toward their Early Childhood Education Lead Teacher Certificate. Through our partnership with the University of Kansas, our Jayhawk Blueprint Program offers college credits to high school students at a fraction of the price of normal college classes and is further aided by Lawrence Schools Foundation scholarships. In just six years, 2,000 students have earned college credits before leaving our buildings.

Lawrence Public School educators and staff are responsible for our successes. The Board strives to retain those educators. In 2022-23, the Board made difficult budget cuts to invest \$6,651,703 million into staff wages. The wage increase is historic for our district but came at the cost of closing schools, decreasing middle school plan time, and increasing class sizes. It also did not achieve our goal of a \$15 starting wage for classified staff, which includes 220 paraprofessionals, who play a vital role in supporting students receiving special education services. Like every Kansas district, we struggle to retain paraeducators due to the low wages.

USD 497 provides all the required special education services, but to do so, we have pulled more and more money away from general education services, having done so since 2011—the last year the Kansas Legislature fully funded special education services. In 2022-23, USD 497 special education expenditures were \$25.6 million. The State provided \$17.2 million, which meant a general fund transfer of \$8.4 million to special education. We should not be forced to take away from one group to meet other's needs because we lack the resources our students need to succeed. **USD 497 Board of Education again requests that the Kansas Legislature fully fund special education as required by current state law. (See K.S.A 72-3422.)** Our board, and likely every board of education the Committee members represent, will invest resources realized into our strategic plan goals. That translates to higher wages for Kansas educators, lower class sizes for students, improved special education services, and an overall positive impact on educator retention and recruitment.

I acknowledge the competing budgetary priorities of the State legislature; no locally elected body understands budgetary constraints more than boards of education. So, we have not requested the millions of dollars underfunded between 2011 and 2024. Rather, the USD 497 Board of Education asks the Committee on K-12 Education Budget to build on the work and recommendations of the January 5, 2024, Special Education Task Force. **HB 2738 is not in the spirit of the Task Force's work to comply with K.S.A 72-3422.** For example:

- HB 2738 Section 2 (a) 1-2 would revise the special education state aid statewide excess costs calculation to include all student weightings (page 3, lines 1-12). Although special education students

may qualify for one or more of the weightings, it may not be part of their special education services; an example to illustrate the point is transportation, which may be tied to where a child resides and not to an IEP. All weightings are to provide services beyond standard educational expenses. It is easy to surmise that counting weighting toward special education excess costs limits opportunities for all students. Further, counting all of the weightings increases the regular education contribution, which decreases the amount of special education state aid needed to reach 92% of excess costs.

- HB 2738 Section 2 (4) E (d-e 1-3) appears to set the FY25 appropriations at the FY24 level removing the \$7.5 million appropriated in the 2023 legislative session (page 6, lines 1-33).

- Throughout HB 2738 Section 2, the new cost calculation subtracts Local Option Budget (LOB) funding from excess costs. The LOB is a local contribution, so it is concerning that HB 2738 counts local mill levies as state funding.

USD 497 Board of Education opposes HB 2738. Per the current statute, the State's special education funding must cover the actual cost of providing necessary services to every one of Kansas's students with an IEP. Current law, if fully funded, does not subvert Kansan's moral and ethical obligations to fund public education adequately, nor does it explicitly and or implicitly pass that cost burden on to local taxpayers.

Thank you for your consideration,
Kelly Jones
USD 497 Board President
kelly.jones@usd497.org or 785-764-1465

Dear Chair & members of the committee,

Thank you for reading about my opposition to bill HB 2738.

I am concerned not only for my own gifted son, but for all students, regardless of their abilities.

This bill creates a very complicated change to the special education funding formula. Such a significant change should be reviewed and vetted by experts before being voted into law.

Please send this bill to the Special Education Task Force that was established to study the current funding formula to determine if any changes are needed. Members of the Task Force have the expertise needed to ensure the calculations presented in this bill are logical and ultimately support the needs of Kansas kids.

Instead of spending time on unvetted calculations, please follow Kansas law and fully fund special education using one of the plans provided to you by the Governor and the State Board of Education. All Kansas kids are hurt by the current \$173 million shortfall, as districts must transfer general funds to cover the shortfall in special education funds.

Respectfully, I ask that you vote no on HB 2738.

Laura Kaiser

Prairie Village

Danielle Keller, Kansas Resident

dskeller95@gmail.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

Thank you for the opportunity to share my opposition to HB2738

This bill presents a whole new calculation of funding without due diligence on its impacts to our public school students. Any recommendations to change the current method of calculating special education funding should be vetted by experts and stakeholders. In fact, a Special Education Task Force was created for just this purpose, however the members were not invited to provide input on these changes.

Additionally, the public was not given ample time to review and fully understand the implications of HB2738. Conducting a transparent and accessible legislative process that provides ample opportunity for stakeholders to provide meaningful public feedback is imperative to our democratic process. However, it seems like HB2738 is being rushed through committee.

I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

Barbara King, Kansas Resident
travelingking1@gmail.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

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This bill presents a whole new calculation of funding without due diligence on its impacts to our public school students. Any recommendations to change the current method of calculating special education funding should be vetted by experts and stakeholders. In fact, a Special Education Task Force was created for just this purpose, however the members were not invited to provide input on these changes.

Additionally, the public was not given ample time to review and fully understand the implications of HB2738. Conducting a transparent and accessible legislative process that provides ample opportunity for stakeholders to provide meaningful public feedback is imperative to our democratic process. However, it seems like HB2738 is being rushed through committee.

I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

Deborah Kitchin, Kansas Resident

dmkitchin@yahoo.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

Please fully fund special education. Voting to fund special education fully is good for all of Kansas.

My son is visually impaired and was provided special education services from Pre-school to his Senior year. He is a successful sophomore engineering student at the University of Kansas because of his teachers for the visually impaired and orientation and mobility specialists. These are unique skills that require additional education and hands-on experience. It is costly. Our special education professionals and their services must be funded so our students can overcome their disabilities and succeed.

I live in Johnson County. Our schools are the best in the state and nation. We must have special education monetary support from the legislatures to perform as we do. Our rural schools need special education as much as our urban communities.

It is terrible for Kansas for our students to not have the legislature's support. Sadly, we must spend so much time fighting for what we all know is right for our students.

Please do the right thing and fully fund special education.

February 13, 2024

Testimony to the House K-12 Education Budget Committee

NAME: Jeanne Koontz

TITLE: Kansas Citizen

EMAIL ADDRESS: koontz.jeanne@gmail.com

BILL NUMBER: HB 2738

PROPONENT, OPPONENT, or NEUTRAL: Opponent

ORAL or WRITTEN ONLY TESTIMONY: Written Only

Dear Chair & members of the committee,

I am writing to voice my opposition to bill HB 2738.

Any attempts at changing the current method of calculating the state's share of special education funding should be vetted by experts and stakeholders. This bill creates a completely new way of calculating funding without careful review or thoughtful consideration of its impacts.

It is time for the state to meet its obligation to fund 92% of excess special education costs. School districts, the State Board of Education, and the Kansas Department of Education all recognize that special education hasn't been fully funded since 2011. The shortfall has grown to an estimated \$173 million. The shortfall negatively impacts schools, teachers, and students as they still have to figure out a way to provide these services often by using money from their general education funds to cover the shortfall. Public schools are committed to serving all students and should be adequately funded so they can do just that. As a parent of two students who receive special education services, I implore you to consider the ramifications of this bill.

A Special Education Task Force was created for the purpose of reviewing the current method of funding and determining if any changes are needed. Please vote no on HB 2738 and refer it to the Task Force for further review.

In the meantime, please follow the phase-in plans proposed by the Governor or the State Board of Education to fully fund special education. Our schools will not be fully funded until special education is fully funded.

Jeanne Koontz, Kansas Citizen
Hutchinson

Lisa Kuhnke, Kansas Resident

lisakuhnke@mac.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

Thank you for the opportunity to share my opposition to HB2738

This bill presents a whole new calculation of funding without due diligence on its impacts to our public school students. Any recommendations to change the current method of calculating special education funding should be vetted by experts and stakeholders. In fact, a Special Education Task Force was created for just this purpose, however the members were not invited to provide input on these changes.

Additionally, the public was not given ample time to review and fully understand the implications of HB2738. Conducting a transparent and accessible legislative process that provides ample opportunity for stakeholders to provide meaningful public feedback is imperative to our democratic process. However, it seems like HB2738 is being rushed through committee.

I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

February 13, 2024

Testimony to the House K-12 Education Budget Committee

NAME: Brad Larson

TITLE: Kansas Parent

EMAIL ADDRESS: bklarson@gmail.com

BILL NUMBER: HB 2738

PROPONENT, OPPONENT, or NEUTRAL: Opponent

ORAL or WRITTEN ONLY TESTIMONY: Written Only

Dear Chair & members of the committee,

I am a parent of 4 children in public Kansas schools. 2 of them benefit from IEPs and our kid's experiences and support from the school district has been fantastic. The fact that special education is still underfunded in Kansas, after so many years and with such a large budget surplus, is absolutely shameful. I'm writing to share my concerns with HB 2738.

This bill creates a very complicated change to the special education funding formula. Such a significant change should be reviewed and vetted by experts before being voted into law.

Please send this bill to the Special Education Task Force that was established to study the current funding formula to determine if any changes are needed. Members of the Task Force have the expertise needed to ensure the calculations presented in this bill are logical and ultimately support the needs of Kansas kids.

Instead of spending time on unvetted calculations, please follow Kansas law and fully fund special education using one of the plans provided to you by the Governor and the State Board of Education. All Kansas kids are hurt by the current \$173 million shortfall, as districts must transfer general funds to cover the shortfall in special education funds.

Respectfully, I ask that you vote no on HB 2738.

Brad Larson
Kansas Parent
Overland Park

Sally Levitt, Kansas Resident

sallylev@outlook.com

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

Thank you for the opportunity to share my opposition to HB2738

This bill presents a whole new calculation of funding without due diligence on its impacts to our public-school students. Any recommendations to change the current method of calculating special education funding should be vetted by experts and stakeholders. In fact, a Special Education Task Force was created for just this purpose, however the members were not invited to provide input on these changes.

Additionally, the public was not given ample time to review and fully understand the implications of HB2738. Conducting a transparent and accessible legislative process that provides ample opportunity for stakeholders to provide meaningful public feedback is imperative to our democratic process. However, it seems like HB2738 is being rushed through committee.

I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation and allow the public ample to review and understand the drastic changes proposed to special education funding.

Bonnie Limbird, Kansas Resident

bonnie@abclimbird.net

Bill Number: HB2738

Revising the special education state aid statewide excess costs calculation to count additional funding, requiring the state board of education to determine each school district's excess costs and to establish a special education state aid equalization distribution schedule.

Position: Opponent Testimony, Written-only

Hearing Date: Tuesday, February 13, 2024, at 3:30 PM

Committee: House Committee on K-12 Education Budget

Chair: Rep. Kristey Williams

Madame Chair and Members of the Committee,

Thank you for the opportunity to share my opposition to HB2738

This bill presents a whole new calculation of funding without due diligence on its impacts to our public school students. Any recommendations to change the current method of calculating special education funding should be vetted by experts and stakeholders. In fact, a Special Education Task Force was created for just this purpose, however the members were not invited to provide input on these changes.

Additionally, the public was not given ample time to review and fully understand the implications of HB2738. Conducting a transparent and accessible legislative process that provides ample opportunity for stakeholders to provide meaningful public feedback is imperative to our democratic process. However, it seems like HB2738 is being rushed through committee.

I respectfully urge you to oppose HB2738 in its current form. Instead, please refer it to the special task force for review and recommendation, and allow the public ample to review and understand the drastic changes proposed to special education funding.

February 13, 2024

Testimony to the House K-12 Education Budget Committee

NAME: Margaret Lund

TITLE: Kansas Citizen

EMAIL ADDRESS: mollylund@gmail.com

BILL NUMBER: HB 2738

PROPONENT, OPPONENT, or NEUTRAL: Opponent

ORAL or WRITTEN ONLY TESTIMONY: Oral

Dear Chair & members of the committee,

I am writing to voice my opposition to bill HB 2738.

We should be utilizing the expertise of special education advocates as the state considers funding, not creating a completely new way of calculating funding without careful review or thoughtful consideration of its impacts.

It is time for the state to meet its obligation to fund 92% of excess special education costs. School districts, the State Board of Education, and the Kansas Department of Education all recognize that special education hasn't been fully funded since 2011. The shortfall has grown to an estimated \$173 million.

I have two daughters in public school. Failure to provide adequate funding hurts ALL of our students in public schools as districts must transfer money from their general education funds to cover the shortfall.

A Special Education Task Force was created for the purpose of reviewing the current method of funding and determining if any changes are needed. Please vote NO on HB 2738 and refer it to the Task Force for further review.

In the meantime, please follow the phase-in plans proposed by the Governor or the State Board of Education to fully fund special education. Fully-funding our schools includes fully-funding special education services.

Sincerely,

Margaret M. Lund
Prairie Village, KS

From: [Shannon Boranyan](#)
To: [K12 Budget](#); [Linda Featherston](#)
Subject: Fwd: Testimony to the House K-12 Education Budget Committee
Date: Monday, February 12, 2024 9:53:58 AM

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February 12, 2024
Testimony to the House K-12 Education Budget Committee

Shannon Boranyan
Kansas Citizen -Elementary Teacher Masters in Education
Shannonboranyan13@gmail.com
BILL NUMBER: HB 2738
Opponent
WRITTEN ONLY TESTIMONY

Dear Chair & members of the committee,

Consider this my written opportunity to voice my opposition to bill HB 2738.

Any attempts at changing the current method of calculating the state's share of special education funding should be vetted by experts and stakeholders. This bill creates a completely new way of calculating funding without careful review or thoughtful consideration of its impacts.

The impacts affect family personally. I have been forced to homeschool my special needs child because of lack of staffing at his school. I could, as suggested by several legislators, peruse legal action against the district. This would take time and money. All while my child's education suffers.

It is time for the state to meet its obligation to fund 92% of excess special education costs. School districts, the State Board of Education, and the Kansas Department of Education all recognize that special education hasn't been fully funded since 2011. The shortfall has grown to an estimated \$173 million.

This bill provides no additional funding this year or in future years. Failure to provide adequate funding hurts all of our kids in public schools as districts must transfer money from their general education funds to cover the shortfall.

A Special Education Task Force was created for the purpose of reviewing the current method of funding and determining if any changes are needed. Please vote no on HB 2738 and refer it to the Task Force for further review.

In the meantime, please follow the phase-in plans proposed by the Governor or the State Board of Education to fully fund special education. Our schools will not be fully funded until special education is fully funded.

Shannon Boranyan
Kansas Citizen -Elementary Teacher Masters in Education

Overland Park, KS

From: [Stephanie Larsen](#)
To: [K12 Budget](#)
Cc: [Ethan Corson](#); [Stephanie Clayton](#)
Subject: HB 2738 - Opponent Testimony: Written Only
Date: Monday, February 12, 2024 8:47:10 AM

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NAME: Stephanie Larsen
TITLE: Shawnee Mission School District Parent
EMAIL ADDRESS: slc520@gmail.com
BILL NUMBER: HB 2738
PROPONENT, OPPONENT, or NEUTRAL: Opponent
ORAL or WRITTEN ONLY TESTIMONY: Written only

Dear Chair & members of the committee,

Thank you for the opportunity to explain my opposition to bill HB 2738.

This bill creates a very complicated change to the special education funding formula. Such a significant change should be reviewed and vetted by experts before being voted into law.

Please send this bill to the Special Education Task Force that was established to study the current funding formula to determine if any changes are needed. Members of the Task Force have the expertise needed to ensure the calculations presented in this bill are logical and ultimately support the needs of Kansas kids.

Instead of spending time on unvetted calculations, please follow Kansas law and fully fund special education using one of the plans provided to you by the Governor and the State Board of Education. All Kansas kids are hurt by the current \$173 million shortfall, as districts must transfer general funds to cover the shortfall in special education funds.

Respectfully, I ask that you vote no on HB 2738

Stephanie Larsen, Leawood KS

From: [Courtney Deist](#)
To: [K12 Budget](#)
Subject: HB 2738
Date: Monday, February 12, 2024 12:13:11 AM

EXTERNAL: This email originated from outside the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hello.

My name is Courtney Deist and I am a teacher in the state of Kansas.

The need for more special education funding in the state of Kansas is critical. Currently, our SPED teachers are dealing with unsustainable caseload sizes. Between the increasing academic, behavior, and physical needs of our students, the teachers are unable to provide adequate services. There are IEP support minutes going unmet because the teacher has to prioritize one need over another due to there being 20+ students on their caseload. Not only is this causing a disservice to the student, but it's also causing legal issues since IEPs are legal documents. For the special education services to truly be effective, teachers need to have a smaller caseloads to be able to give students the interventions they need to be successful.

In addition to the SPED teachers having unmanageable caseloads, we are also severely lacking support staff. Because SPED funding is so low, districts are unable to pay paras & support staff a livable wage. There are so many incredible & knowledgeable humans who serve in these roles but are unable to stay long term because they need to be able to pay their bills. I have teacher friends all over the state of Kansas who are constantly sharing that their district is hiring paras. Similar to the unmet needs from the SPED teachers, student support minutes that are stated on IEPs are going unmet as well. Again, not only causing a disservice to the student, but a legal document to be broken.

Something needs to be done immediately. We have students in intermediate grades who don't know how to read. We have students in intermediate grades who don't know basic math skills and facts. We have students in every grade with awful self regulation skills. Our state needs to take action and fully fund special education. A state with fully funded education, general education AND special education is a state worth living in. It's a state worth being proud of. It's worth the cost.

Thank you.

Courtney Deist

From: [Maureen Goddard](#)
To: [K12 Budget](#)
Cc: [Heather Meyer](#)
Subject: HB2738
Date: Sunday, February 11, 2024 7:12:40 PM

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Testimony to the House K-12 Education Budget Committee

NAME: Maureen Goddard

EMAIL ADDRESS: maureenannegoddard@gmail.com

BILL NUMBER: HB 2738

PROPONENT, OPPONENT, or NEUTRAL: Opponent

WRITTEN ONLY TESTIMONY

Dear Chair & members of the committee,

I am writing to voice my opposition to bill HB 2738.

My daughter, Sarah, receives special education services in our community's high school. Because of these special programs, she is learning, and becoming a contributing member of society.

This bill provides no additional funding for this upcoming year, or in future years. This means that our school district will have to transfer money from the general education fund to cover the shortfall created by special education not being fully funded.

The task force brought together by Rep. Williams, made a recommendation to follow the phased in plan to fully fund special education. The shortfall of funds has grown, and will continue to grow.

As a parent, I ask you to vote No on this bill. Bring together the stakeholders and experts who can address this funding crisis.

In the meantime, please follow the phase-in plans proposed by the Governor or the State Board of Education to fully fund special education. Our schools will not be fully funded until special education is fully funded.

Sincerely,

Maureen Goddard
Overland Park, KS

From: [Greg Kubler](#)
To: [K12 Budget](#)
Subject: HB2738
Date: Monday, February 12, 2024 8:52:13 AM

EXTERNAL: This email originated from outside the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Chairperson Williams and K-12 Education Budget Committee Members,

I am writing to you in opposition to HB2738. Special Education services in Kansas are currently compromised by state and federal funding. I would invite the Committee members to come and observe our services and programs in Southeast Kansas to see for themselves the many difficulties our staff faces. We are seeing an increase in student numbers and also ever increasing intensity of issues. This is especially true for our pre-school and K-5 populations whose social-emotional and academic development was impacted tremendously by the past pandemic. Our services are a 'life line' for almost 2500 students in Southeast Kansas.

In many instances, our staff members are paid less than our regular education partners, or less than service providers can make in competing medical and private industry. As a result we are faced with multiple unfilled positions of classified and professional staff. The number of individuals entering education has rapidly dropped creating fewer candidates to replace our retiree's.

In an effort to recruit and retain staff, we increased salaries and are subsequently operating in a deficit of over \$700,000 dollars. We have continued to increase our local district assessments yet have not been able to do so at a rate that has allowed us to keep up with expenditures. Since FY19, we have increased district assessments by just under \$1 million dollars.

Although there are many ways to calculate funding, simply adding together all federal and state revenues for our Interlocal has resulted in our member districts carrying 30% of the total expenditures for special education.

After nearly 40 years of serving Kansas students, I find it deeply concerned that the critical supports and services we provide for our students will be significantly compromised by legislation that essentially reduces funding. I would ask that you deeply reconsider the needs of Kansas students across the state and fund education at a level that creates hope and promise for our most vulnerable students.

Greg Kubler
Director
SEK Interlocal #637
620-235-3180

greg@sekconnection.com

From: bradshawb@att.net
To: [K12 Budget](#)
Subject: OPPOSE HB 2723
Date: Monday, February 12, 2024 10:04:51 AM

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February 13, 2024

Testimony to the House K-12 Education Budget Committee

Rebekah Anderson

Kansas Citizen and Parent

bradshawb@att.net

BILL NUMBER: HB 2738

PROPONENT, OPPONENT, or NEUTRAL: Opponent

Dear Chair & members of the committee,

Thank you for the opportunity to explain my opposition to bill HB 2738.

This bill creates a very complicated change to the special education funding formula. Such a significant change should be reviewed and vetted by experts before being voted into law.

Please send this bill to the Special Education Task Force that was established to study the current funding formula to determine if any changes are needed. Members of the Task Force have the expertise needed to ensure the calculations presented in this bill are logical and ultimately support the needs of Kansas kids.

Instead of spending time on unvetted calculations, please follow Kansas law and fully fund special education using one of the plans provided to you by the Governor and the State Board of Education. All Kansas kids are hurt by the current \$173 million shortfall, as districts must transfer general funds to cover the shortfall in special education funds.

Respectfully, I ask that you vote no on HB 2738.

Rebekah Anderson

Leawood, KS