



**To: House Committee on Education**

**From: The Kansas Association of Special Education Administrators (KASEA),  
United School Administrators-Kansas (USA-Kansas), and the Kansas Association  
of School Boards (KASB)**

Honorable Rep. Aurand and Committee Members,

My name is Terry Collins and I am the Legislative Chair for the Kansas Association of Special Education Administrators (KASEA). I have communicated with United School Administrators-Kansas (USA-Kansas) and the Kansas Association of School Boards (KASB). We are united in this testimony. Thank you for the opportunity to represent them here today as opposed to HB 2613.

- The fiscal note to HB 2484 which was re-written as HB 2613 states the Governor recommends \$458.0 million from all funding sources for Special Education State Aid in FY 2019. However, the total estimated excess costs for FY 2019 are estimated at \$589.5 million, of which 77.7 percent would be funded by state aid.
- The statutory formula for Special Education State Aid requires state aid totaling 92.0 percent of excess costs.
- Already a special education funding shortfall is predicted at \$133 million for FY '19.
- HB 2613 will increase that shortfall by additional millions of dollars by requiring districts to hire braillists, hire and place sign language interpreters essentially 1:1 with students in private schools, purchase braille machines and provide assistive technology to any special education student, including out of district students, attending a private school.
- Just 10 interpreters at \$25,000/year and 10 braillists at \$25,000/year is \$500,000. Shawnee Mission alone serves approximately 25 private schools.
- **34 C.F.R. § 300.100 Eligibility for assistance.**

A State is eligible for assistance under Part B of the Act for a fiscal year if the State submits a plan that provides assurances to the Secretary that the State has in effect policies and procedures to ensure that the State meets the conditions in §§ 300.101 through 300.176.

- **34 C.F.R. § 300.141 Requirement that funds not benefit a private school.**
  - (a) An LEA may not use funds provided under section 611 or 619 of the Act to finance the existing level of instruction in a private school or to otherwise benefit the private school.
- HB 2613 not only takes millions of dollars from the public school to benefit private schools by subsidizing each private school's choice of curriculum but also jeopardizes our ability to receive federal dollars.
- Each private school uses a different curriculum than the public schools which means none of the materials supplied to the private schools can be used to benefit public school students. Pursuant to K.S.A. 72-1138(c), the local board of education has authority to prescribe courses of study and to approve and adopt suitable textbooks and study materials. This authority would be undermined if public schools were forced to subsidize the private school curriculum and materials in this manner.
- Private schools benefit by collecting tuition for students that might otherwise be attending the public school and potentially increase both numbers and tuition.
- HB 2613 creates an additional dilemma by making a law which could contradict federal law by requiring public schools to provide a benefit to private schools.
- The Kansas Association of Special Education Administrators, the United School Administrators-Kansas, and the Kansas Association of School Boards strongly encourages you no to move forward with HB 2613.

**Terry Collins, Ed.S. 785-741-2202**

**KASEA Legislative Committee**

**Director of Doniphan County Education Cooperative #616**