



Oral opponent testimony on

HB 2738

Special education cost calculations

By

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In

House K-12 Education Budget Committee

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Madam Chair and Members of the Committee,

KASB appears today in opposition to HB 2738. Our opposition is based on our member-affirmed policies, which state:

We support the state legislature meeting its statutory obligation to reimburse special education service costs at the mandatory rate of 92 percent to ensure student success. If special education is not fully funded by the legislature, school districts must shift funds away from the general student population to pay for mandated special education services.

We defer to the school finance experts at KSDE for a detailed analysis of the bill, but our reaction to the text of HB 2738 is that it appears to be an unfortunate effort to justify the legislature's continued underfunding of Special Education.

In 2023 the state legislature passed a law directing that a Task Force meet and develop recommendations on special education funding and services. The text of the law indicates legislative intent was for the Task Force to meet more than once to deliberate before delivering its recommendations to the legislature.

The Task Force met only once, for three hours, on January 5, 2024.

Kansas Association of School Boards

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HB 2738 appears to us to be an attempt to circumvent the legislature's own law directing thorough and thoughtful study of the important issue of funding and delivering special education services in our state. Instead, the bill appears to merely manipulate the existing general education school finance formula to give the appearance that the state is indeed fully funding Special Education.

This bill doesn't change the fact that Kansas school boards continue to be forced to backfill from their general funds to ensure that Kansas children receive the special education services they're legally and morally entitled to receive. This legislative failure to fully fund special education also deprives general education students of the high-quality, equitable, public-school education directed by the state constitution and that their taxpayer parents rightfully expect.

KASB wants public schools where every Kansas student develops the skills, knowledge and training they need to prepare them for success. Unfortunately, HB 2738 would prevent our students from achieving those goals. We ask the committee to reject HB 2738 and commit instead to a sincere and thorough examination of special education funding while upholding current law.

Thank you.

KASB is a non-profit service organization built on an abiding belief in Kansas public schools. We have put the needs of students and K-12 leaders first since 1917.