



January 5, 2024

Written Testimony: Special Education and Related Services Funding Task Force Committee
Submitted by: Kansas Association of Special Education Administrators (KASEA)

Honorable Chair Williams and Committee Members,

The Kansas Association of Special Education Administrators (KASEA) appreciates and supports the work of the Special Education and Related Services Funding Task Force as it considers options for improvements to the current state funding formula. At the same time, KASEA urges the Special Education Funding Task Force to consider and support the Kansas Board of Education's legislative recommendation to fully fund special education at 92% of the state level excess costs over the next 4 years. This same recommendation is also supported by Governor Kelly. In the 2022-23 school year, Kansas served 91,252 students with exceptionalities. This includes 81,063 children identified as students with disabilities. In addition, we served 10,189 children identified as gifted, which in Kansas is included as an exceptionality under the state's IDEA statutes and regulations. As with all other expenses, the costs continue to rise for providing these specialized services.

Kansas is obligated under K.S.A. 72-3422 to provide 92% of the state level excess cost for special education services. Currently, the legislature is funding special education at 69% of the state level excess costs. With the largest budget surplus ever in Kansas of \$2.8 billion by July 2024, in addition to \$1.7 billion in the State's General Stabilization Fund, now is the right time to support full funding of special education. IDEA's requirement for Maintenance of State Financial Support (MFS) should not be a concern given the surplus of funding and by phasing increased funding over 4 years to attain the mandated state requirement of 92% state excess costs.

Because IDEA is a mandated program, when the state fails to fulfill its funding obligations for special education, local school districts must step up and provide the necessary funds from their general operating revenues to ensure critical services are implemented without a disruption. The excess cost of special education services depletes local budgets and limits opportunities for all students. Every year a plan to increase funding is delayed, the special education funding gap grows significantly larger and these additional costs are pushed off onto districts to make up the difference.

We also urge the Special Education and Related Services Funding Task Force committee members to review the results of a recent Legislative Post Audit which was completed in



October 2023. In addition, KASEA has included with this testimony the following information about special education in Kansas.

We are proud of the high-quality services and the caring and well-trained providers available to all students, particularly those with disabilities and/or identified as gifted in Kansas. We appreciate your support as we continue to work together to make Kansas a great place to be educated and to live. Please reach out to any of us if we can answer any questions you have about special education services.

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

The Cost of Special Education in Kansas



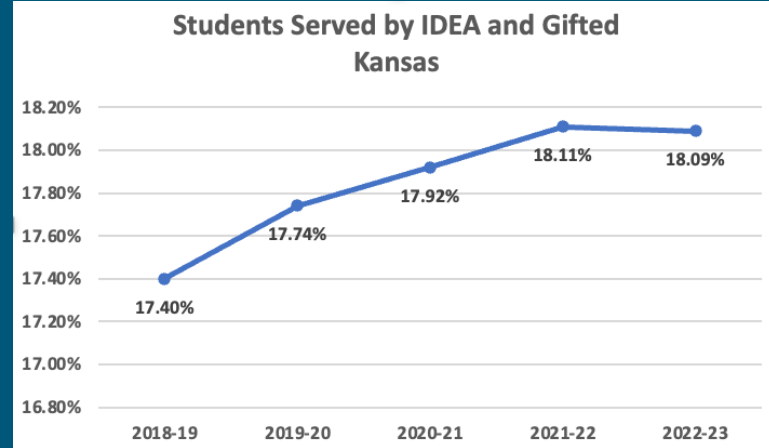
Special Education Is

- Federally mandated under IDEA for students with disabilities and includes Gifted in Kansas
- Specially designed instruction and related services to meet IEP goals in the student's Least Restrictive Environment (LRE)
- Due process protecting student rights to Free and Appropriate Public Education (FAPE) for children ages 3-21 according to an Individualized Education Program (IEP)

Special Education is not

- At-Risk
- ADA/Section 504

- Kansas statute mandates 92% of the state's special education excess cost to be fully funded per state statute, K.S.A. 72-3422. The last year special education was fully funded was in 2010
- The state's special education excess cost has averaged around 75% over the last 5 years. For 2023-24, funding is estimated at 69%
- The State of Kansas estimates a surplus of \$2.8 billion by July 2024 in addition to \$1.7 million in the State's General Stabilization Fund
- In October 2023, the Kansas Legislative Post Audit estimated it would cost between \$1.2 and \$1.5 billion annually to provide special education services that would allow students to meet their IEP goals



Kansas Special Education Funding



KSDE estimates special education is currently underfunded by **\$173 million**. KASEA supports the recommendation of the Kansas State Board of Education to fully fund special education with a phased-in plan.

Kansas Special Education Facts

- In the 2021-22 school year, in addition to general education costs, school districts spent \$1.2 billion to the provide special education services mandated in each student's IEP.
- In a 2023 Kansas Legislative Post Audit (KLPA) report, the KLPA found that spending has an impact on student outcomes with a correlation of 83% or a near one-to-one relationship. This is consistent with prior studies directed by the Kansas Legislature.
- Present challenges in delivering special education services involve rising costs for specialized services, unfilled staff positions, addressing students' mental and behavioral health needs, and attending to the well-being of staff.



Kansas Special Education Excess Cost Funding History

Year	Funding Level	Percent of Excess Cost
2018-19	\$490,380,818	81.40%
2019-20	\$497,894,780	75.30%
2020-21	\$505,566,465	73.40%
2021-22	\$513,030,935	76.40%
2022-23	\$520,519,379	76.80%
2023-2024	\$528,160,830	69.00%
2024-2025 (est.)	\$535,518,818	66.00%

*Bullets 1-2: Kansas Legislative Post Audit Report, Estimating the Cost of K-12 Education, October 2023
 Kansas Association of Special Education Administrators December 2024