



February 12, 2024

Verbal and Written Testimony: HB2738

Submitted by: April Hilyard, Director of Butler County Interlocal

Chairperson Williams and K-12 Education Budget Committee Members,

On behalf of Butler County Interlocal, I am adamantly opposed to the provisions outlined in HB2738. This bill sets forth provisions modifying the special education excess cost calculation to include all student weightings, including bilingual, CTE, At-Risk and regular transportation. Counting these weightings toward special education excess costs limits the availability of funds needed to provide for students and staff. While students who received special education services might also be eligible for services provided by the other weightings, that is not necessarily the case for all students receiving special education services, nor is it the case that all students eligible for those weightings are eligible for special education. I urge the committee to keep in mind these weightings are in place to ensure students with unique needs are supported and the vast majority of this support is by way of specialized staff who are able to utilize their expertise to help students learn and grow. Additionally, removing a state average LOB percentage after already subtracting federal funds and regular education funds is a gross misapplication of the LOB percentage as it was never intended to be applied to expenses. Keep in mind, 60% of this money the state is attempting to claim in this new calculation is actually from local mill levies and not state funds at all. This means the calculation is double counting some funds. Further, the equalization portion of the LOB is then the third count of the same funds.

To establish legislation that moves money from one "pot" to another simply to allow the legislature to get "credit" for money that was never intended to be for special education, not only hurts the provision of special education services, but it hurts ALL education. Districts already utilize their general funds to provide for the shortfalls in funding special education. Changing the calculation to include all of the weightings and the misapplication of the LOB percentage does not change the total amount of money available for districts. It just moves it around. Additionally, the LOB is in place to support all students. Students with special education

services, bilingual services, at risk services, they are all general education students first. They all access general education teachers, counselors, nurses and administrators. They all access spaces such as cafeterias, gyms, bandrooms, playgrounds. They all access extracurricular activities. They all access art, music, PE and libraries. These are just a few of the things the LOB is in place to help provide.

In Butler County Interlocal we serve nine districts who collectively enroll over 17,000 students. We serve 3400 students with disabilities and giftedness. 95% of our FY23 budget went to salaries and benefits of staff. When funding remains stagnant, yet expenses increase, tough decisions must be made and the one area that is most impacted is the compensation of staff.

Let me give you an example. For the 2023-2024 school year, we increased our paraeducator wages by \$1.00 for a base wage of \$11.30 an hour. Yes, \$11.30 an hour. Our hard working paraeducators start at \$11.30 an hour. They support our students with the most challenging needs. They help students with academics, social and emotional needs, self regulation and sometimes more significant needs such as personal care, diapering and feeding. For the work our paraeducators do, I think we would all agree that \$11.30 is not adequate compensation. Yet, the \$1.00 raise for our nearly 400 paraeducators cost the Interlocal \$498,000. This does not include any other raise for other staff such as teachers, occupational therapists, speech language pathologists, school psychologists or office staff. With our revenue remaining flat (actually less) for FY24, the money for this meager raise came from our nine member district's general fund. This is in addition to the amount districts were already contributing. In total, the 9 member districts in Butler County pay \$6.3 million to the Interlocal to make up for the shortfall from other revenue sources. This decreases the available resources they have to implement programming, pay their current staff, and/or consider raises for district employees.

Should our educators continue to carry the burden of the state's failure to adequately fund special education? Changing the formula only makes it look like special education is fully funded when it is not. It moves money from the general education coffers to count as special education, effectively reducing general education funding, which supports ALL students. With increased cost associated with all other aspects of running a district, the salary and benefits of staff are the one area that most often gets targeted generally through reduction of staff or freezing of wages. For special education, reduction of staff is not always feasible. Special education services are required by federal law and the State of Kansas also provides for students with giftedness under that same umbrella. The number of students receiving special education services continues to increase not only in Butler County but also statewide. No new money does not mean students with special education services will not get served. It means our staff, both special education and general education staff, are carrying the burden of those needs with less available resources, salaries that have not kept up with the duties required or inflation and with an increase of stress and expectations. This is not sustainable. Our educated, dedicated, loving, compassionate and talented staff will not continue to do this hard work if they cannot earn a livable wage. We will continue to have staff leave for better paying jobs. This is a snowball effect that results in our best staff leaving and having to use valuable resources for recruiting, hiring and training. It means less qualified applicants due to fewer

people entering the profession and more time spent at the administrative level supporting inexperienced staff.

The question is always, “what will we get out of this if we increase the appropriation”. The answer? You will get general education programming that benefits all students in the school because districts will not have to earmark the funds for special education. You give districts the ability to raise wages for licensed and classified staff, increasing the availability of applicants or retaining qualified staff to work with our students in both general education and special education. You get higher quality services to better meet the needs of all students. You have students leaving our system better prepared for life. This is good for kids! This is good for staff! This is good for our communities! This is good for our state!