

Written Testimony Regarding HB 2738

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I am presenting testimony in opposition to HB 2738 on behalf of the six school districts who are members of our special education cooperative: Winfield USD 465 (Sponsoring District), Arkansas City USD 470, Cedar Vale USD 285, Central of Burden USD 462, Dexter USD 471, and Udall USD 463.

The current system of funding special education in Kansas (i.e., using the excess costs formula) is synergistic, and it works. Synergy involves the cooperation among multiple agencies to produce a combined effect greater than the sum of its parts. This method of funding makes it possible for each individual entity (Cooperative, Interlocal, USD) to meet the needs of its local population of exceptional students. The formula for excess costs was designed to be applied to applied to the entire state – not to each individual entity separately. That is the beauty of the system and what makes it work. The system is not broken, but if tampering occurs – the system could be broken.

Having said all this, the system in its present form does need to be fully funded in the manner that has been in existence since 92% of excess costs became statute in 2006. Synergy exists for the greater good of the whole. The method of using excess costs **in its present form** to determine special education funding over the entire state is brilliant. Disaggregating excess costs by individual USDs was never the intention of the law, is antagonistic, and creates discord and disharmony. The system was not designed to be disaggregated.

HB 2738, if adopted, would decrease the amount of revenue available to provide special education services for all exceptional students in every USD throughout the entire state. Some of the issues that our Cooperative already faces created by the shortfall in state funding for special education that already exists appear below:

1. Unfilled positions: 50 para educator positions, 5 Speech Language Pathologists (SLPs), 1 social worker, 1 special education coach position, 6 special education teachers. Our cooperative cannot afford to pay competitive rates in order to attract, hire, and retain licensed staff and/or para educators.
2. The beginning rate of pay for a para educator in the 23/24 school year is \$10.75/hour. This rate is actually an improvement over prior years, yet individuals are able to work at fast food restaurants and retail and earn more per hour than they would if they worked with children. 30 of the 66 paras who left their jobs reported that they did so to receive higher pay. Our cooperative still has 49 unfilled para positions in the 23/24 school year.
3. SLPs, who are inferior in quality and skills to those that our cooperative employs, are able to sign contracts with agencies that provide teletherapy and then charge school districts \$90/hour for their services. Compounding the problem is the fact that universities are unable to keep up with the high demand for SLPs and simply do not produce an adequate amount of SLPs both in Kansas and nation-wide.
4. Our special education cooperative is located in a rural area. Many of the teachers whom we hire and train choose to work for our cooperative for two to three years and then move away to more highly populated areas of the state where they receive higher pay or simply leave the profession.

Also, public schools are continuing to receive more and more students with increased levels and varieties of physical, cognitive, behavioral, and neurological disabilities. The increased severity level of the needs of students has resulted in increasing the costs of special education. In our Cooperative, more students are being diagnosed with severe autism, severe emotional disabilities, and significant intellectual disabilities. Additionally, these students are being diagnosed at

increasingly younger ages and require intensive special education services. These challenges make it even more difficult to meet the needs of students with exceptionalities locally.

HB 2738 also freezes the amount of special education funding in future years. If this happens, how will Kansas schools be able to provide the mandated programs required for students with disabilities and students who are gifted? The impact on our Cooperative and USDs would be devastating. Our six USDs would be scheduled to lose \$1,149,682 in state aid (i.e., a decrease in state funding of 13.5%).

The six superintendents in Cowley County and I ask the Legislature to reject HB 2738. Allow the Task Force on Special Education and Related Services Funding to serve as the vehicle moving forward to make recommendations that are in the best interest of families and children in Kansas. Thank you for your consideration.