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Written Testimony - Opponent
House Bill 2738
House Committee on K-12 Education Budget
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Chairwoman Williams, members of the Committee, thank you for the opportunity to submit testimony in opposition of House Bill 2738.

Kansas NEA believes that it is well established that there is nothing wrong with the existing funding formula for establishing special education excess costs. It is simply underfunded.

In January, Kansas NEA provided testimony to the 2023 Special Education and Related Services Funding Taskforce. This testimony included educator voices outlining how fully funded special education would impact their classrooms and their students. Since many of the members of this committee were not on that special task force, we wanted to include these voices in this testimony as well. They wrote:

Jerald J. Braun Special Education Teacher, Hays Public Schools - USD 489: *If Special Education were fully funded, my district could hire more paraprofessionals at livable wages to support student needs. Reducing inclusion class sizes would facilitate appropriate learning environments for all students. Additionally, resources and opportunities could be extended not only to traditionally recognized special education programs but also to the gifted population falling under the same special education umbrella.*

Thomas Barker Social Studies Teacher, Lawrence Public Schools - USD 497 *In my experience, the best way to provide support for students with exceptionalities is to have special education staff that are working to make sure their needs are being met. By funding special education services at the 92% of state excess cost our district would receive an additional five million dollars in state aid. While I agree that "throwing money at the problem" does not necessarily lead to positive outcomes, the fact that the most important resources we need is that of staff to work with students with exceptionalities, then additional funding is needed to expand, retrain and recruit the number of staff that we need to allow all students to be successful.*

Jonathan Eshnaur Special Education Teacher, Olathe Public Schools - USD 233 *...The Olathe Schools District is transferring \$28 million from the general fund to educate students. While the district's decision to spend \$28 million from the general fund is the right decision, it does impact our students in the general education classroom. The \$28 million spent on special education limits the district's ability to develop new career technical education classes, hire more classroom teachers, or provide higher pay to retain classroom teachers and other critical educators like paraprofessionals. In short, failure to fully fund special education impacts our ability to have highly trained educators and the educational resources our students need to prepare them for their futures. Funding the excess special education cost can be a game-changer for our students and provide the educational services they deserve from our public schools.*

Brooke Wisley Special Education Teacher, Wichita Public Schools - USD 259: *I should say if special education is fully funded, but instead – I will say when USD 259 fully funds special education, more teachers can be hired. The resources that us, as professionals feel we need to do our jobs will be provided and we can better support our students educationally and academically. Students need the programs brought back to support them, their education, their social and emotional health needs. To do this – school districts must be funded.*

House Bill 2738 is reminiscent of the fuzzy math and accounting gimmicks utilized throughout the Brownback era, especially when it came to funding our K-12 public schools. Kansas NEA believes this is yet another attempt by the Legislature to shirk their statutory obligation, and it especially disappointing to see such a proposal so soon after the Kansas Supreme Court released its jurisdiction from the Gannon case.

In short, underfunding special education is detrimental to all our students. We don't need changes to the calculations for special education funding; we need full funding to our existing formula.

We urge this committee to reject House Bill 2738.