

House K-12 Education Budget Committee
HB 2738
February 13, 2024
Written Opponent Testimony by: Bryce Wachs

Chairperson Williams and K-12 committee,

I am writing to you as an educator to express my strong opposition to House Bill 2738. After thoroughly reviewing the proposed changes and their potential impacts, it is clear that this bill would significantly undermine the quality and accessibility of special education services in our state, contrary to our shared goal of ensuring that every child receives the education they deserve.

HB 2738 will recalibrate the excess cost calculations for special education, a move that could have drastic repercussions for the funding and provision of these essential services. By calculating special education excess costs at the district level without increasing the FY25 appropriation, this bill effectively freezes necessary funds at a time when costs are escalating, not static. The bill's methodology, incorporating various student weightings (such as bilingual, CTE, At-Risk, and transportation) into the special education excess cost calculation, dilutes the focus and funds away from special education. These weightings are intended to support services beyond standard educational needs, not to supplant or reduce the financial support for special education. This approach would not only limit opportunities for all students but also artificially inflate the perceived contribution of special education funding, undermining the state's commitment to cover 92% of excess costs.

The proposed triple subtraction of Local Option Budget (LOB) funds from excess cost calculations is particularly troubling. This methodology is not only confusing but fundamentally flawed, leading to a potential triple counting of some LOB funding. It's concerning that LOB funds, which are local contributions, would be considered as state contributions to special education funding. This misapplication could result in 27% of total special education expenses being inappropriately paid with LOB funds, a stark deviation from the principle that state funding should support these essential services.

In light of these concerns, I urge you to reconsider HB 2738. Our focus should be on enhancing the quality of and access to special education services, ensuring that all students receive the support they need to succeed. This bill, as it stands, threatens to undermine these goals, diminishing the state's ability to provide for its most vulnerable students.

I appreciate your attention to these critical issues and look forward to a course of action that reaffirms our state's commitment to supporting special education.

Sincerely,



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