

Opposition Written Testimony-SB387  
House Committee on Education  
Representative Susan Estes, Chair

March 2, 2026  
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USD 259 - Wichita Public Schools

Chair Estes and members of the Committee:

Thank you for the opportunity to provide testimony in opposition to SB 387. We appreciate the Committee's focus on government efficiency, accurate records, and accountability in publicly funded programs. Program integrity within the National School Lunch Program (NSLP), as well as appropriate State At-Risk funding, is a shared priority. However, we respectfully oppose requiring school districts to verify the household gross earned income of every student approved for free meals.

As this bill was amended and passed in the Senate, the intent was made clear in committee that the bill's goal is to "correct the over-funding of At Risk" by auditing free meal applications. First, the use of the Free Meal status as a proxy for At Risk was known not to be perfect when the current formula was enacted – and obviously, it still is not. But as a mechanism to allocate funding, it has functioned exactly as intended. Second, we would understand to a greater extent this desire to correct "over-funding" if indeed we received more funds than we actually had in At Risk students. For Wichita, over 37,000 students are considered At Risk (have an identifier that qualifies them to receive some type of "above and beyond" academic intervention using At Risk funds). But less than 32,000 students drive At Risk funding through "free meal" status – a funding gap of over 5,000 students currently. This bill would certainly widen the gap (more on that below).

Federal regulations already require districts to verify a minimum of 3% of approved free and reduced applications annually. Even at that level, verification is a substantial administrative process. In our district alone, minus directly certified students, for the 2025-26 school year, we processed over 6,000 free and reduced meal applications. Verifying 3% of that number of applicants requires the review of almost 180 applications each year (equaling 300 students). Each case involves multiple notices, documentation review, follow-up communication, strict federal timelines, and confidentiality safeguards. This is a structured audit process – not a simple data match.

Expanding verification to 100% of free applications would increase our workload more than **twenty-fold**, from roughly 180 cases to over well over 4,000 annually (free meals only). Such an expansion would require additional staffing, system capacity, and training. These costs would be borne locally, as this requirement exceeds federal NSLP mandates. We estimate conservatively it will cost over \$180,000 to gather and review the additional documentation.

How do we know this? Because we had to do something similar in the two years following COVID shutdown. When the federal government provided free meals for all students, we required the Household Income Survey instead of a free meal application. Without the incentive of free meals to complete the survey (without any substantiating documentation), Wichita lost over \$4 million in At Risk during that two-year period. If this bill is passed, we expect comparable results.

Simply asking for the additional documentation alone will have an impact. Research consistently shows that increased documentation requirements reduce participation among eligible households. Families with fluctuating incomes, language barriers, or unstable housing are less likely to complete more burdensome verification processes, resulting in eligible students not accessing benefits.

Respectfully and earnestly, we ask the committee to seriously consider these alternatives:

1. Preferably, hold this decision until the Education Funding Task Force makes recommendations on a new funding formula, which could include a different proxy to use to allocate At Risk funding. That committee has said multiple times the intent of a new formula is not to cut education funding. Let that process run its course. Otherwise, we are looking at a funding cut because families do not provide income documentation due to fear, distrust in systems, misunderstanding of the process, confusion or simply because there is no incentive – like a free meal - to do so.
2. If the committee is convinced this bill should move forward, consider a “hold harmless” year allowing schools to develop audit procedures, educate families, and figure out staffing needs. Schools would still receive funding based on the free meal counts under current law. If that is not sufficient, we could request the income information but use the information for reporting purposes only. We could then provide the 2027 Legislature data to review the potential impact to schools before the audits impact funding in the 2027-28 school year, and for the 2027 Legislature to consider as part of decisions to be made on a new school finance formula.

We believe that schools and the Legislature share the same goal: ensuring that public dollars are used responsibly while maximizing school opportunity. SB 387 as written creates significant administrative burdens to districts, creates new barriers for families already facing hardships, and risks widening the funding gap for the very students At Risk dollars are intended to support. We urge the Committee to allow the broader school finance discussions to proceed before making targeted changes that will undoubtedly result in funding loss. We respectfully ask you to oppose SB 387 in its current form.

