

Doniphan County Education Cooperative #616

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Chairman Aurand and Honorable members of the House Education Committee

I am representing the Kansas Association of Special Education Administrators with this testimony and we are united in favor of SB 260

Current law regarding special education state aid contains a funding formula that would begin during school year 2012-2013 that would determine the minimum and maximum amount of special education state aid a school district may receive, based on a per-teacher basis.

Any school district receiving less than 75% of the state average cost of all students would receive additional funds. Any school district receiving above 150% of the state average cost of all students would forfeit the additional funds. No additional funds would be added to the special education appropriation.

On March 3rd, 2010 I testified before the House Education Committee in opposition of HB 2600 which includes the 75%-150% limits on excess cost. There was very little information on the effects of this bill and it died in committee on May 28, 2010. SB 359 was later amended to include the limits of 75%-150% and on 3/24/2010; "final action" in the House was to pass SB 359 as amended. As introduced, SB 111 would have repealed this section of the special education school finance formula. House Substitute for Substitute Senate Bill 111 became a completely different bill and only changed the implementation date of the minimum/maximum levels.

We now know a great deal more about the effects of this minimum/maximum adjustment to the special education funding formula.

- **Currently, all teachers are funded at the same number of dollars. This formula will create inequality.**
- **Census based funding assumes uniform distribution of children with disabilities while research indicates that, in fact, children with disabilities are not equally distributed.**
- **More funding will go to districts at 75% and under than is forfeited by those districts at 150% and above and therefore each district will lose a minimum of \$100 per special education FTE teacher based on last year's data.**
- **Accredited private school students are not counted in the total FTE of students.**
- **There is no mechanism for counting students under age 3.**
- **If virtual students are counted in the student population then districts will receive funding for a population of non-special education students.**

- **There is no way to predict which districts will fall outside the minimum/ maximum because the average excess cost is unknown until the end of the fiscal year. This will create budget problems as money will have already been spent.**
- **If you receive \$50,000 in additional funds in the current year and fall above 75% the next year you will still be required to spend the \$50,000 every year due to maintenance of effort. District contributions would have to be increased.**
- **If you find out in June that you must forfeit funds then district contributions could go up at the last minute.**
- **If you forfeit funding in June, it is too late to notify teachers of non-renewal.**
- **The formula does not take into consideration a “high needs” student moving into a district.**
- **The more a district spends in salaries, equipment, and technology, the likely hood increases that it will fall below 75%.**

I respectfully request that the committee support SB 260 so that we do not implement a funding formula that will immediately reduce teacher aid to all districts—create major problems with the special education budget process—create maintenance of effort issues and create inequality in teacher aid.