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House Education Committee

Testimony on SB 359

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Presented by:

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The mission of United School Administrators of Kansas (USA|Kansas*), through collaboration of member associations, is to serve, support, and develop educational leaders and to establish USA|Kansas as a significant force to improve education.

Education administrators remain committed to ensuring that each and every child in Kansas receives a quality education that will help them reach their potential and become successful, productive adults. There are 465,000 students in our public schools that we strive to impact positively every single day. As you know, Kansas students are making unprecedented academic achievement and we are on a path of continuous improvement.

I am here today in support of SB 359, a bill to amend the special education catastrophic aid formula. The intent of the original Catastrophic Funding Law was to provide additional financial support to districts providing services to students with extraordinary needs. These students often require intensive services and supports that are expensive for districts.

When the Catastrophic Funding Law that was passed in 1994, it is unlikely that anyone could have anticipated the limitations of the law, the level of inflation or the increased costs associated with special education services. Special education funding and reimbursement is, of course, directly related to the class size and the salaries paid to both teachers and paraeducators. It goes without saying that these factors vary significantly between districts, interlocals and cooperatives across the state.

Over the past five years, the number of claims for catastrophic special education aid has continued to increase rather significantly from 85 students in FY 2004 to 758 students in FY 2009. The total catastrophic aid has increased nearly \$12 million during that same period. Legislative Post Audit (October 2009) projected that claims for FY 2010 could increase to nearly 5,500, costing the state nearly \$48 million.

The significant increase in catastrophic claims in recent years is the result of a few districts that changed their process of making claims. This has resulted in the unexpected diversion of funding from categorical aid to catastrophic aid. As a result, nearly 98 percent of districts and the students they serve will be negatively impacted. The bottom line is increased catastrophic special education aid costs result in not only decreased reimbursement for categorical aid, but reduced services for special needs children.

In August 2009, Derby special education director Bruce Givens – representing USA|Kansas and the Kansas Association of Special Education Administrators (KASEA) – volunteered to convene special education directors and identify viable solutions to the “catastrophic aid” issue. Throughout Kansas, KASEA convened and discussed the complex issues of special education funding. While not everyone agreed, a proposal was drafted and overwhelmingly endorsed by the KASEA membership. That proposal was shared with the 2010 Commission, the Legislative Education Planning Committee (LEPC), the USA|Kansas School Finance Task Force and Board of Directors.

SB 359 addresses three key issues that administrators supported:

- **Intent.** Administrators believed that it was absolutely necessary to restore the original intent of the law – to offset costs associated with those students with extraordinary needs.
- **Integrity.** Administrators believe that districts should not be reimbursed twice for the same expense(s) and that “double dipping” should be eliminated.
- **Stability and predictability.** Administrators supported capping the total amount of catastrophic aid spent annually. There is a belief that this will help contain costs and maintain a stable and predictable funding source for special education.

Finally, USA|Kansas’ position on SB 359 is not a judgment on any school district in Kansas. We understand that all school districts have a responsibility to advocate for programs that will support programs and services for the students they serve. We believe that those districts that have increased their claims for catastrophic aid have operated in accordance with the current law. We do, however, believe that the law needs to be restored to its original intent.

In closing, I would like to thank you for your continued support of education. We know that you share our commitment to ensuring a quality education for each child.

*USA|Kansas represents more than 2,000 individual members and ten member associations:

Kansas Association of Elementary School Principals
Kansas Association of Middle School Administrators
Kansas Association of School Administrators
Kansas Association of School Business Officials
Kansas Association of School Personnel Administrators
Kansas Assoc for Supervision and Curriculum Development
Kansas Association of Special Education Administrators
Kansas Association of Secondary School Principals
Kansas Council of Career and Technical Education Administrators
Kansas School Public Relations Association